

All correspondence referring to announcements and subscription of Government Gazette must be addressed to its Administration office. Literary publications will be advertised free of charge provided two copies are offered.

Toda a correspondência relativa a anúncios e à assinatura do *Boletim Oficial* deve ser dirigida à Administração da Imprensa Nacional. As publicações literárias de que se receberem dois exemplares anunciarão-se gratuitamente.



SUBSCRIPTION RATES — ASSINATURA

QUARTERLY (Trimestral)	(Annual) YEARLY	(Semestral) HALF-YEARLY
All 3 series (As 3 séries)	Rs. 40/-	Rs. 24/-
I Series	Rs. 20/-	Rs. 12/-
II Series	Rs. 16/-	Rs. 10/-
III Series	Rs. 20/-	Rs. 12/-

Postage is to be added when delivered by mail —
Acrece o porte quando remetido pelo correio

GOVERNMENT GAZETTE

BOLETIM OFICIAL

SUPPLEMENT

(SUPLEMENTO)

GOVERNMENT OF GOA, DAMAN AND DIU

Development Department 'A'

Notification

CDB/Coop/119/68

The draft of the following Rules which the Administrator of Goa, Daman and Diu proposes to make in exercise of the powers conferred by Sub-Section (1) and (2) of Section 60 of the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963 as extended to the Union Territory of Goa, Daman and Diu is hereby published as required by Sub-Section (3) of the said section for the information of persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration after a period of one month from the date of publication of this notification in the Government Gazette.

Objections or suggestions which may be received from any person in respect to the said draft rules by the Administrator, within the period specified above will be considered by the Administrator. Objections or suggestions may be addressed to the Development Commissioner, Secretariat, Panaji.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

T. Kipgen, Development Commissioner.

Panaji, 29th November, 1968.

Agrahayana 8, 1890.

Draft Goa, Daman and Diu Agricultural Produce Marketing (Regulation) Rules, 1968

CHAPTER I

Preliminary

1. **Short title.** — These rules may be called the Goa, Daman and Diu Agricultural Produce Marketing (Regulation) Rules, 1968.

2. **Definitions.** — In these rules, unless the context requires otherwise: —

(i) "Act" means the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963 as extended to the Union Territory of Goa, Daman and Diu;

(ii) "authorised weights, measures or weighing or measuring instruments" means such weights, measures or weighing or measuring instruments as may be permitted to be used under the provisions of the Goa, Daman and Diu Weights and Measures (Enforcement) Act, 1968;

(iii) "Collector" includes an officer duly authorised by him for exercising the powers or discharging the functions of the Collector under all or any of the provisions of these rules;

(iv) "co-operative marketing or processing society" means a co-operative society (registered or deemed to be registered as such under the Maharashtra Co-operative Societies Act, 1960) as applied to the Union territory of Goa, Daman and Diu, which holds a licence for marketing of declared agricultural produce or for operating as processor;

(v) "counting agent" means a person appointed by a candidate to be his counting agent, with the previous approval of the Collector;

(vi) "election agent" means a person appointed by a candidate to be his election agent, with the previous approval of the Collector;

(vii) "financial year" means the year commencing on the 1st day of April;

(viii) "Form" means a Form appended to these rules;

(ix) "licensed" means licensed to operate as a market functionary in any market or market area under the Act;

(x) "market year" means the year commencing on the 1st day of October and ending on the 30th day of September, next following;

(xi) "market charges" includes charges on account or in respect of, commission, brokerage, weighing, measuring, hamali (loading, unloading and carrying), cleaning, sieving, stitching, stacking, hiring gunny bags, stamping, bagging, godowning, warehousing, grading, surveying, counting, husking, transporting and processing;

(xii) "marketing functionary" means a trader, commission agent, broker, processor, measurer, surveyor, counter, husker, weighman and includes carting and clearing agent (Hundekari); hamal and assistants to trader, commission agent, processor and carting and clearing agent (hundekari), warehouseman and such other persons, who in the opinion of a Market Committee, are likely to facilitate or assist in facilitating operations in a Market area or in any market therein and declared to be so in the bye-laws of the Market Committee;

(xiii) "notice board" means the board placed in or near the office of a Market Committee for the purpose of displaying notices thereon;

(xiv) "Polling Officer" means a Polling Officer appointed by the Collector for the purposes of any election under Chapter III of these rules;

(xv) "Presiding Officer" means a Presiding Officer appointed by the Collector for the purposes of Chapter III of these rules;

(xvi) "Returning Officer" means a Returning Officer appointed by the Collector for the purposes of Chapter III of these rules;

(xvii) "section" means a section of the Act;

(xviii) "warehouse" means any building, structure, or other protected enclosure, which is, or may be, used for the purpose of storing declared agricultural produce (being goods on behalf of depositors) and includes a warehouse licensed or run under the Warehousing Corporations Act, 1962 but does not include a cloak room attached to a hotel, railway station, port or to any premises of a like nature;

(xix) "warehouseman" includes a person or a firm holding a licence for issuing receipts for goods stored in a warehouse run under the Warehousing Corporation Act, 1962.

(xx) The other expressions which have not been specifically defined in these rules shall have the same meaning as assigned to them under the Act.

3. Additional mode of publication of notifications under sections 3 and 4.—A notification under section 3 declaring the intentions of the Administrator of regulating the marketing of any agricultural produce in any area specified in such notification and the notification under section 4 regulating the mar-

keting of agricultural produce in any area shall, in addition to their publication in any newspaper circulating in any such area as required by that section, also be published by affixing copies thereof at the *chavdi* of each village included in such area and by exhibiting them on the notice board in the office of the Mamlatdar, Block Development Officer or Municipality and of the Panchayat within whose jurisdiction such area is situated. The Administrator shall also require a revenue officer specified in this behalf to give wide publicity to the notification by beat of drums in any such area.

4. Procedure for holding enquiry for considering objections and suggestions.—(1) The Administrator may, if he considers necessary so to do, authorise any officer to enquire into any suggestions and objections received by him to the notification under section 3 and require the officer to submit to him his report within a reasonable time.

(2) The Enquiry Officer may, for enabling him to make the report, by notice require the persons making the suggestions and objections to appear before him not earlier than fifteen days from the date of the notice in person or through a representative at the place and time specified in the notice. The Enquiry Officer, after hearing the persons, shall within a reasonable time submit his report to the Administrator along with all the objections and suggestions received to the notification.

(3) On receipt of the report, the Administrator shall, after considering the report, with due regard to the objections and suggestions received by him, decide the question of regulating marketing of agricultural produce in the area specified in the notification. After the question is decided, the Administrator may issue the notification under sub-section (1) of section 4 in terms of such decision.

CHAPTER II

Marketing of Agricultural Produce

PART I

5. Marketing of agricultural produce.—(1) No person shall market any declared agricultural produce in any place in a market area other than the principal market or subsidiary market established therein:

Provided that, the State Marketing Officer may authorise any Market Committee, subject to such terms and conditions as he may deem fit, to permit a commission agent or trader to market declared agricultural produce, or to permit any other market functionary to operate, at any place within the market area, such place being mentioned by the Market Committee in the licence granted to such commission agent, trader, or as the case may be, the market functionary.

(2) The particulars of any declared agricultural produce marketed in any market area shall be reported to the Market Committee in such manner as the Market Committee may require of the person marketing such produce.

5A. Market Yard and Market Proper.—(1) In the market proper and market area, the Market Committee shall exercise only such rights as may be necessary for the convenient control of the market and for convenience and comfort of the persons using

the market and for collection of the fees in accordance with the provisions of its bye-laws.

(2) (a) The Market Committee may require the owner or Manager of any industrial concern located within the market area to furnish such information in respect of all the agricultural produce for which the market is established and which is handled or used by the industrial concerns as the Committee may think necessary for the purpose of the control of market.

(b) Any owner or manager so required to furnish information shall be entitled to appeal against such requisition within one fortnight from the date of the requisition to the State Marketing Officer whose decision in the matter shall be final.

6. Licensed trader, broker and commission agent.—

(1) Any person desiring to use any place in a market area for marketing of any declared agricultural produce or for operating therein as a trader, commission agent or broker, shall make an application in writing to the State Marketing Officer in the form prescribed by him (where a Market Committee has not yet started functioning) and in any other case, in the Form prescribed by bye-laws for a licence or for renewal thereof, as the case may be, to the Market Committee along with the fee prescribed by the bye-laws, if any, but not being in excess of Rs. 150 per market year and shall supply the following information, namely:—

(a) solvency certificate required by the State Marketing Officer or prescribed by bye-laws;

(b) cash security or bank or third person's guarantee required by the State Marketing Officer or prescribed by bye-laws.

(2) On receipt of any application together with the proper amount of the fees, if any, and information referred to in sub-rule (1), the State Marketing Officer, or as the case may be, Market Committee may, subject to the provisions of rule 5 and this rule, after satisfying himself or itself on the following points, grant the applicant a licence in Form I, or, as the case may be, renew it in that Form (such licence being issued or renewed, except in a case where it is granted by the State Marketing Officer under the signature of the Chairman), namely:—

(a) (i) solvency certificate,

(ii) cash security or bank's or third person's guarantee,

(iii) capacity for providing adequate equipment for smooth conduct of the business,

(iv) conduct of the applicant,

(v) that the assistants specified in the application are persons who are not likely to hamper the smooth working of the operations in the market or market area; and

(b) in the case of renewal of a licence, also whether the applicant has traded or not in the market area or whether the person has overtraded:

Provided that, no licence shall be issued to any applicant unless he executes an agreement in the form approved by the State Marketing Officer agreeing to abide by the provisions of the Act, these rules and the bye-laws.

(3) The State Marketing Officer or, as the case may be, the Market Committee may grant one single

licence in respect of the principal market, subsidiary market and in respect of any other place in the market area or may grant separate licences in respect thereof, to enable a trader, a commission agent or a broker, to operate as such trader, commission agent or broker, as the case may be.

(4) Notwithstanding anything contained in sub-rule (2), the State Marketing Officer or as the case may be, the Market Committee may for reasons to be recorded in writing refuse to grant or renew a licence to any person, who in his or its opinion, is not solvent or in the case of renewal of licence, if the person has not traded in the market area for more than a week without valid reasons or who had committed any act, or abstained from carrying out his normal business, with the intention of wilfully obstructing, suspending or stopping the marketing of declared agricultural produce in the market area, and in consequence thereof, the marketing of any such produce had been obstructed, suspended, or stopped. If any licence is not granted or renewed, the applicant shall be informed of the same and the reasons therefor and the licence fee, if paid, shall be refunded to the applicant.

(5) On receipt of an application and payment of the required fee, the State Marketing Officer or, as the case may be, the Market Committee shall complete the enquiry and issue the licence applied for, if the requirements of sub-rule (2) have been fulfilled, as far as possible, within a period not exceeding 30 days from the date of receipt of the application.

(6) The licences shall be valid for the persons in whose names they are issued and shall not be transferable. Licences shall also be liable for suspension or cancellation for a breach of these rules; and the licensee shall be informed of such suspension or cancellation and the reasons therefor.

(7) Every licence shall be granted or renewed for a period ending on the 30th day of September next following the date on which it is granted, or as the case may be, renewed.

(8) Each Market Committee shall maintain a register in such form as the State Marketing Officer by general or special order, may specify in this behalf containing names of all commission agents, traders, and brokers licensed under these rules.

(9) The Committee if it is satisfied, after holding such enquiries as necessary, that a licence issued by it has been lost or accidentally destroyed may issue a duplicate of that licence on payment of the fee of Re. 1/-.

7. Licences to warehouseman, measurer, surveyor, counter, husker, processor, weighman, etc.—(1) any person desiring to operate in any market area as a processor, weighman, measurer, surveyor, counter, husker, warehouseman or in any other capacity in relation to the marketing of any declared agricultural produce shall make an application in writing in the form prescribed by the State Marketing Officer or the bye-laws for the grant of a licence or renewal thereof, as the case may be, to the State Marketing Officer (where a Market Committee has not yet started functioning) and in any other case, to the Market Committee along with the fee prescribed in this behalf by bye-laws, if any, such fee not

being in excess of maximum fees per market year indicated below, namely:—

Category of licence	Maximum fees to be charged per market year
	Rs.
(a) Weighman or measurer or counter	10
(b) Surveyor	15
(c) Warehouseman	15
(d) Processor	100
(e) Carting and Clearing Agent	25
(f) Assistant to trader/commission agent/broker.	5
(g) Assistant to carting or clearing agent	5
(h) Hamal	3
(i) Others	5

(2) On receipt of an application together with the proper amount of fee, the State Marketing Officer or, as the case may be, the Market Committee may, subject to the provisions of rule 5 and this rule after satisfying himself or itself on the following points, grant the applicant the licence applied for in the form provided by sub-rule (3) or, as the case may be, renew it in that Form, namely:—

- (i) the conduct of the applicant,
- (ii) the work done by the applicant in the market area in case where the licence is to be renewed,
- (iii) that the assistants specified in the application are persons who are not likely to hamper the smooth working of the operations in the market area.

(3) The State Marketing Officer or as the case may be, the Market Committee shall, when he or it decides to grant a licence, grant the market functionary specified below a licence in the Form indicated opposite to him; and it shall be lawful to the State Marketing Officer or, as the case may be, the Chairman to issue such licences under his signature:—

Market functionary	Form
1. Weighman or Measurer or counter	2
2. Warehouseman	3
3. Processor, Surveyor, Carting and Clearing Agent	4
4. Assistant to Commission Agent, Trader, Broker, Carting, Clearing Agent and Processor	5
5. Hamal	6
6. Others	7

(4) The applicant, on a licence being granted, shall execute an agreement in such form as may be approved by the State Marketing Officer or under the bye-laws, agreeing to abide by the provisions of the Act, these rules and the bye-laws.

(5) The licences shall be valid for the persons in whose names they are issued and shall not be transferable. Licences shall also be liable for cancellation or suspension for a breach of these rules or bye-laws and the licensee shall be informed of such suspension or cancellation and the reasons therefor.

(6) Notwithstanding anything contained in sub-rule (2), a Market Committee may for reasons to be recorded in writing, refuse to grant or renew a licence to any person if the conduct of such person is found to be detrimental to the efficient functioning of the market, or where the licence is sought to be renewed, the person has remained absent without permission of the Market Committee continuously for more than a month without any valid reason. If any licence is not granted or renewed, the applicant shall be informed of the same and the reasons therefor and the licence fee, if paid, shall be refunded to the applicant.

(7) The licence shall be granted or renewed for a period ending on the 30th September next following the date on which it is granted, or as the case may be, renewed.

(8) Each Market Committee shall maintain a register in such form as the State Marketing Officer may by general or special order, specify in this behalf containing the names of all market functionaries licensed under this rule.

8. Employment of broker or commission agent not compulsory.— (1) No person shall, in the absence of any express agreement, either oral or in writing, in that behalf, be required to employ the services of a broker or commission agent for the purpose of operating in any market area or in any market therein, or be required to pay the charges of a broker or commission agent whether or not employed by any other party in any such operation.

(2) No broker shall be employed in relation to marketing of any declared agricultural produce, except in relation to marketing—

(a) of poultry, cattle, sheep and goats, or

(b) of any declared agricultural produce by a trader with another trader.

(3) No commission agent, holding a trader's licence, shall purchase either in his name or in partnership with any other person, any declared agricultural produce for the sale of which he has been appointed as a commission agent:

Provided that, where no other purchaser makes an offer at the prevailing market rate for such produce and the seller insists on its immediate sale, such commission agent may make purchase of the produce at the prevailing market rate agreeable to the seller with the previous permission in writing of the Secretary. The Secretary shall maintain a record of such transactions with reasons for which the permission was given.

Explanation.— Delivery of the agricultural produce at an agreed or prevailing market rate by a seller to a co-operative society holding a trader's licence and functioning as a commission agent shall not require such permission, provided that such deliveries are intended for pooling or processing or linking of credit with marketing.

9. Licensed trader and commission agent to provide equipment for weighing and measuring.— (1) A licensed trader, commission agent, processor and warehouseman shall provide or arrange to provide all necessary authorised weights, measures or weighing or measuring instruments at the time of weighing.

or measurement of any declared agricultural produce, as may be specified in the bye-laws.

(2) No licensed trader, commission agent, processor or warehouseman shall use weights and measures or weighing and measuring instruments other than authorised weights, measures or weighing or measuring instruments.

10. Charge for brokerage, commission, weighing, measuring, counting, husking, surveying etc. — The charges payable to a licensed commission agent, broker, weighman, counter, husker, measurer or surveyor in respect of his services, as also the other market charges shall be such as may be specified in the bye-laws.

(2) No licensed commission agent, broker, weighman, counter, measurer, surveyor and husker shall solicit or receive fees, gift or any other remuneration either in kind or cash other than those specified for their services in the bye-laws even if the same is given by the producer or seller willingly in the course of business. For contravention of this rule their licence shall be liable to be cancelled forthwith.

11. Assistants to market functionaries. — (1) Subject to the provisions of this rule, any market functionary may employ assistants to work on his behalf in a market area or in any market therein.

(2) The maximum number of assistants, who shall be entitled to work in the market area or market on behalf of a market functionary shall be such as the Market Committee may, having regard to the transactions in relation to the marketing of declared agricultural produce dealt with or handled by the market functionary, from time to time, determine.

(3) The names and addresses of such assistants shall be stated in the application for a licence by every market functionary.

(4) No person other than those assistants whose names are entered in the licence of a market functionary shall be allowed to operate in the market area or in any market on his behalf.

(5) The licence of a market functionary shall be liable to be cancelled or suspended if he allows or continues to allow any person whose name is not entered in the licence to operate in the market area or market therein on his behalf, irrespective of whether such a person was once an authorised assistant working on his behalf.

(6) No person, who has been convicted under the Act or who has been a licensee operating in the market area or market therein and whose licence is under suspension or has been cancelled, shall, unless permitted by the State Marketing Officer on such terms and conditions and after such period as may be deemed necessary by him, work or be allowed to work as an assistant to any market functionary anywhere in the market area.

12. Disposal of declared agricultural produce. — Ordinarily, every declared agricultural produce shall be sold by tender system:

Provided that State Marketing Officer may, if he deems fit, permit sale thereof by public auction or by sample or by open agreement.

13. Sale by tender system or auction. — When any declared agricultural produce is sold by tender sys-

tem or public auction, it shall be sold to the highest bidder; but the seller may refuse to sell his produce to the highest bidder or may accept a lower bid or postpone the sale of his produce to a later hour or date:

Provided that, the seller exercises the option and communicates his decision to the commission agent concerned before the expiry of the time which the market committee may fix for auction sales or tender sales on the yard.

14. Fixation of Price. — (1) Every price quotation made by a trader, commission agent or broker in respect of any declared agricultural produce shall always be exclusive of the cost of the container thereof.

(2) The price of every declared agricultural produce, intended for marketing in any market or at any place in a market area shall be settled by tender system or public auction, from shop to shop in serial order (and not by secret signs), and no deduction on any account shall be made from the agreed price at the time of taking delivery either by reducing the price or weight or measure or number in consideration of the price:

Provided that, the State Marketing Officer may permit sale by sample or open agreement of any declared agricultural produce other than poultry, cattle, goat and sheep and such other declared agricultural produce as may be specified by the State Marketing Officer in the market or market area at such place as he may deem fit.

15. Declared agricultural produce to be caused to be weighed or measured or counted at once by licensed weighman or measurer or counter. — (1) The trader and commission agent, and if a commission agent is not employed, the purchaser also shall make arrangements for immediate weighment or measurement or counting of the declared agricultural produce brought into any market area for storing or marketing therein.

(2) No declared agricultural produce to be stored or marketed (including resale) in any market area or any market therein, shall be weighed or measured or counted except by a licensed weighman or measurer or counter, who shall on weighing or measuring or counting any such produce, prepare weighment or measuring or counting slips in the form prescribed by the bye-laws in that behalf in quadruplicate. Each such slip shall be signed by him, the seller and purchaser or their agents. A copy of the slip so prepared shall be forwarded to the seller, the purchaser and the Market Committee and the fourth copy shall be retained by the weighman or the measurer or the counter.

16. Accounts slip to be issued to seller. — Every commission agent employed by a seller and if no commission agent is employed, every purchaser, shall (immediately after the sale is completed in the case of poultry, cattle, pig, sheep and goats and immediately after weighment or measurement or counting in the case of any other declared agricultural produce) issue an accounts slip in triplicate in the form prescribed in that behalf by the bye-law:

Provided that, all necessary details required by the form so prescribed are duly furnished and complied with. One copy of the accounts slip shall be issued to

the seller, one shall be retained by the commission agent or purchaser and remaining submitted to the Market Committee.

17. Bill to be issued to purchaser.—Every commission agent, purchaser or trader shall, immediately after weighment or measurement or counting of the declared agricultural produce, issue a bill in triplicate in the form prescribed in that behalf by the bye-laws to every purchaser furnishing details (including price) of all the agricultural produce sold by him. One copy of the bill shall be submitted to the Market Committee and another shall be retained by him, and third copy shall be supplied to the purchaser.

18. Weighment or measuring or counting slips etc., to be supplied by Market Committee on payment.—Printed forms of weighment or measuring or counting slips, account slips and bills shall be supplied by the Market Committee on payment.

19. Market Committee to maintain register of sales.—A Market Committee shall keep regular and proper account of every sale of declared agricultural produce in the market area or any market therein in a register. The register shall be maintained in the form prescribed in that behalf by the State Marketing Officer.

Explanation.—Making of entries collectively relating to more than one transaction shall not be deemed to be keeping regular and proper account within the meaning of this rule.

20. Payment in respect of agricultural produce sold to be made immediately after weighment or sale thereof.—(1) (a) Immediately after any declared agricultural produce (not being poultry, cattle, pig, sheep or goats) is weighed or measured or counted the purchaser shall settle the account and pay the seller or his commission agent as the case may be for the sale of the produce so weighed, measured or counted on the same day.

(b) The commission agent shall pay the seller for the produce sold on the same day after deducting therefrom his commission and market charges in accordance with the bye-laws made in that behalf.

(2) Immediately after poultry, cattle, pig, sheep or goats are sold, the purchaser shall arrange for attestation, and pay the seller on the same day for the poultry, cattle, pig, sheep or goats so sold in the presence of an employee of the Market Committee duly authorised in that behalf after deducting fees or remuneration to be paid to the trader, if any, in accordance with bye-laws made in this behalf:

Provided that, under no circumstances payment for produce sold shall be withheld by a commission agent or purchaser either on deposit account or personal account or in any other account of a similar nature.

(3) For the purpose of ascertaining that payment for the declared agricultural produce sold at any place in the market area are made to the seller as required by this rule, the Market Committee shall through its Secretary or any officer specially empowered by it in this behalf, arrange for the periodical inspection of the books of account of traders and commission agents operating in the market area.

20A. Regulation of advances to the agriculturists.—A licensed general commission agent or

broker may give advances either in cash or in kind to an agriculturist but such advances shall be made subject to the following conditions:—

i) If any agreement is entered into between the lender and the borrower, the lender shall supply a copy of the agreement to the borrower;

ii) When the advances are given from time to time and account book of the advances given and repayment made shall be kept in the manner laid down in the bye-laws and the lender shall give a copy of such account book to the borrower and enter and attest with his signature for every individual transactions of lending and recovery in the copy of the account book so given.

21. Adulteration of declared agricultural produce in market area or market prohibited.—No person operating in any market area or in any market therein shall adulterate any declared agricultural produce or shall cause such produce to be adulterated and it shall be the duty of every Market Committee to take adequate steps including power to take samples of any such produce to see that no declared agricultural produce intended for marketing, processing, storage or export in the market area is adulterated.

Explanation.—For the purpose of this rule, adulteration of agricultural produce includes mixing of inferior variety or quality of any agricultural produce with superior variety or quality thereof, bold linseed with small linseed, vegetable ghee with ghee and mixing earth, dirt and stones or any other extraneous matter with any agricultural produce.

22. Grading and standardisation of agricultural produce.—(1) The Market Committee shall maintain for the use of sellers and buyers a set of samples of standard grades of the declared agricultural produce sold at the market and shall replace the same as may be necessary from time to time. The Market Committee shall also arrange to keep and exhibit samples of different grades of agricultural produce with indications of parity prices based on rates ruling in terminal and important markets like Bombay and Belgaum for the information of sellers and buyers.

(2) The Market Committee may—

(i) carry out the work of grading of such declared agricultural produce as may be specified by the State Marketing Officer from time to time and

(ii) supervise processing of agricultural produce in the market area with a view to preventing adulteration thereof.

23. Weighment on Weigh Bridge.—Where the funds at its disposal permit, a Market Committee may, and if required by the State Marketing Officer, shall, erect one or more weigh bridges in the market and shall maintain the same in proper working order. Any buyer or seller may have his produce weighed on it on payment of the charges fixed under the bye-laws.

24. Working standards may be used for verifying correctness of weights and measures used in market area or market.—The working standards in the custody of Inspectors under the Goa, Daman and Diu Weights and Measures (Enforcement) Act, 1968 shall be available for verifying the correctness

of commercial weights and measures used in marketing of declared agricultural produce in any market area or market therein.

25. Inspection of weights and measures and weighing and measuring instruments by Inspectors of Weights and Measures.— (1) An Inspector appointed under the Goa, Daman and Diu Weights and Measures (Enforcement) Act, 1968, shall on a request made in writing by a Market Committee, carry on periodically inspection of all weights and measures and weighing and measuring instruments in use in any market area or in any market therein.

(2) On a requisition by the Market Committee, the Inspector of Weights and Measures in whose jurisdiction the market area is situated shall carry out the inspection and testing of weights, measures and weighing and measuring instruments in use in the market area and shall take such action as is consistent with the provisions of the Goa, Daman and Diu Weights and Measures (Enforcement) Act, 1968 and the rules made thereunder.

(3) An appeal under sub-section (2) of section 34 shall be made within sixty days from the date of the decision under sub-section (1) of that section.

26. Provisions of Goa, Daman and Diu Act No. 9 of 1968 to apply to all matters relating to weighing or measuring of declared agricultural produce.— Except as otherwise provided by section 34 of the Act and rules 24 and 25, in all matters pertaining to the enforcement of the standard weights and measures and all matters connected therewith in relation to the marketing of declared agricultural produce in any market area or any market therein, the provisions of the Goa, Daman and Diu Weights and Measures (Enforcement) Act, 1968 shall apply.

27. Market Committee required to publish prices and other information.— (1) Every Market Committee shall, maintain daily a list of prices of the different varieties and grades of declared agricultural produce marketed in the market area or in any market therein and besides exhibiting prices as provided by rule 22, shall also on being required so to do by the State Marketing Officer furnish for the use of persons operating in the market, information relating to crops in the market area, their arrival, stocks, prices, price trends, storage, processing, movement of declared agricultural produce and other connected matters as may be specified by general or special order of the State Marketing Officer or any officer authorised by him in this behalf.

(2) The information furnished under sub-rule (1) shall be displayed for the use of the persons operating in the market in such manner that it is readily available to them.

28. Keeping of books by trader, commission agent, broker etc.— Every trader, commission agent, broker, processor, weighman, measurer, counter, warehouseman and surveyor and such other market functionary as the Market Committee may specify in this behalf, licensed under these rules shall keep such books in such forms and render such periodical returns and at such times and in such forms as the Market Committee may, from time to time, direct; and shall render such assistance in the collection of fees, and prevention of the evasion of payment of

fees, due under these rules and bye-laws and in the prevention of the breach of the provisions of the Act, rules and bye-laws, as may be required by the Market Committee.

29. Equipment for weighman, measurer and surveyor.— Every weighman, measurer and surveyor shall use such equipment as may be laid down in the bye-laws of a Market Committee.

30. Licensed weighman, measurer, counter, husker and hamal to wear badge.— Every licensed weighman, measurer, counter, husker and hamal while operating in the market or market area, as the case may be, shall wear a distinguishing badge of suitable pattern provided by the Market Committee. A deposit of not less than one and not more than five rupees to cover the cost of the badge, as may be determined by the Market Committee, shall be paid to the Market Committee, by every licensed weighman or measurer or counter or husker or hamal; and deposit shall be returned to him on giving back the badge to the Market Committee.

31. Publication of directions.— (1) All directions issued by a Market Committee for the guidance of persons using the market or operating in the market area, shall be pasted on the notice board and such pasting of directions, shall be deemed to be sufficient notice of its contents to all such persons.

(2) The Market Committee may, however, if it thinks necessary, cause such notices to be served on persons concerned or to be published in the newspaper circulating in the market area.

PART II

Market Fees and Charges

32. Market Fees.— (1) A Market Committee may levy and collect fees on declared agricultural produce marketed in the market area on an *ad valorem* basis from the purchaser at such rates as may be specified in the bye-laws of the committee, so however, that such rates shall not be less than the minimum and more than the maximum rates notified by the Administrator under section 31.

Explanation:— For the purpose of this rule a sale of agricultural produce shall be deemed to have taken place in a market area if, it has been weighed, measured, or counted or delivered in case of animals in the market area for the purpose of sale, notwithstanding the fact that the property in the Agricultural Produce has by reason of such sale passed to a person in a place outside the market area.

(2) The market fees shall be paid by the purchaser immediately after weighment or measurement or counting of the declared agricultural produce is done.

(3) A trader, commission agent, processor shall immediately on bringing any declared agricultural produce in any market area for the purpose of processing or for export, as the case may be, make a declaration in Form 8.

(4) The fees on declared agricultural produce in respect of which a declaration has been made under sub-rule (3) and which becomes liable for the levy of fees under section 31 shall be calculated at the

average market rate of the produce on the day on which the fees become due.

33. Collection of fees, charges and receipts therefor.—(1) The fees or charges payable under the Act, shall be collected by a servant of the Market Committee, duly authorised by it in that behalf, and the right to collect the fees or charges shall not be framed out.

(2) Every servant so authorised, shall pass receipts to the payee after keeping counterfoils or duplicate of the receipts so granted and shall render account of all receipts at least once a day to the person, duly authorised, in this behalf by the Market Committee.

(3) Every Market Committee shall maintain a register showing the fees or charges collected by it.

(4) (a) In the case of non-payment of fees on agricultural produce bought in the market area on demand by the person authorised to demand payment of such fees, such person may seize the agricultural produce on which the fees is payable and which is in his opinion of sufficient value to satisfy the demand together with the expenses incidental to the seizure and eventual sale of such agricultural produce and may return the same. He shall forthwith report the seizure to the Chairman, if he is not the Chairman, himself. He shall also thereupon give within four hours of the seizure the person in possession of the produce, seized a list of the produce so seized.

(b) When any produce is seized under clause (a) is subject to speedy decay the person seizing it may inform the person in whose possession it was, that it will be sold at once and shall sell it or cause it to be sold accordingly unless the amount of fee demanded and the expenses incidental to the seizure are forthwith paid.

(c) If at any time before sale has begun the person from whose possession the produce has been seized or any other person interested in such produce tenders at the Market Committee office the amount of all expenses incurred and of the fee payable, the produce seized shall be forthwith delivered to him.

(d) If no such tender is made the produce seized may be sold, and proceeds of such sale shall be applied in payment of fee and the expenses incidental to the seizure, detention and sale.

(e) The surplus, if any of the sale proceeds shall be credited to the Market Committee fund and may on application made to the Secretary in writing within six months after the sale, be paid to the persons in whose possessions the produce was when seized and if no such application is made, shall become the property of the Market Committee.

(f) The expenses incidental to the seizure of any produce under this sub rule shall be determined in such manner as the Secretary may specify in this behalf.

(5) The Market Committee may open check posts to avoid non-payment of fees in the market area and shall inspect vehicles, carts, boats, carrying declared agricultural commodities within and outside the market area. The Market Committee shall also inspect the documents regarding purchase, sale, payment of fees, etc.

(6) For the movement of the notified commodities outside the market area from the market area

by the producer himself permission in writing shall be obtained from the Market Committee on declaration in the form specified in the bye-laws. The Market Committee shall issue the permission after duly verifying the facts contained in the declaration.

34. Servants to wear badges.—Every servant of a Market Committee authorised to collect fees or charges shall wear a suitable badge provided by the Market Committee.

CHAPTER III

Constitution of Market Committee

PART I

35. Division of market area into constituencies.—

(1) For the purposes of electing seven members by agriculturists and three members by traders and commission agents as provided by clauses (a) and (b) of sub-section (1) of section 13, every market area shall consist of—

- (a) Agriculturists' constituencies, and
- (b) Traders' constituency.

(2) The market area shall for the purposes of electing seven agriculturists, be divided into seven single-member constituencies, each returning one candidate and there shall be separate election for each constituency. Each constituency shall consist of such number of villages or other area as may be determined by the Collector.

(3) The Traders' Constituency shall consist of the market area.

36. Voters' List.—(1) The Collector shall cause to be prepared lists of voters separately for each of two constituencies specified in rule 35 in a market area. For the purpose of preparing the list of voters for the traders' constituency, the Collector shall call upon the Market Committee to prepare and furnish to him within such time as may be specified by him the names of all the persons qualified to vote in the traders' constituency from the register maintained by the Committee under rule 6.

Provided that, where a person qualified to vote in a Traders' Constituency is a firm or body corporate (including a co-operative society), such firm or body shall nominate a person (being a person who is either a partner of the firm or a member of the managing committee in the case of a co-operative society or a person duly authorised by any other body corporate) to vote on its behalf and intimate the name of that person to the Collector within such time as he may fix in that behalf for being included in the list of voters as representing that firm or body.

Provided further that, if such firm or body is holding more than one licence, nevertheless, it shall not nominate more than one person as aforesaid.

(2) Every such list shall be revised before each general election, at least six months before the date on which the term of the Market Committee is due to expire.

Provided that, the Collector may in the case of the list of voters for the traders' constituency direct the revision of such list also at any other time before any general election is due.

(3) Every list of voters shall show in alphabetical order the full name, age, residence and serial number of the voter, and the nature of his qualification. The voter shall be entered in the list prepared for an Agriculturists' Constituency in which he has a place of residence.

Explanation. — (1) A person shall be deemed to reside ordinarily within a constituency if he —

(a) has actually resided therein for an aggregate period of not less than 180 days during the calendar year preceding that in which the list of voters for the time being under preparation for such constituency is provisionally published under sub-rule (6), or

(b) has maintained within the constituency for an aggregate period of not less than 180 days during the calendar year preceding that in which the list of voters for the time being under preparation for such area is provisionally published under sub-rule (6) a dwelling for himself in charge of his dependents or servants and has visited such dwelling during the year first mentioned in connection with his business in the constituency.

(4) If any question arises whether any person is or is not an agriculturist for the purpose of this rule, matter shall be decided by the State Marketing Officer as provided by sub-section (2) of section 2.

(5) No person shall be entitled to have his name entered in the list of voters for more than one constituency.

(6) Every such list shall be published in English and Marathi provisionally within a period of one month from its receipt by the Collector in such manner as the Collector may deem fit.

(7) At the time of publishing the list of voters a notice shall be published in like manner calling upon persons entered in the list to lodge in the manner herein prescribed any objection that they have to make to the list as published, and upon persons claiming to be entered in the list, to lodge their claim in the manner herein prescribed.

(8) Such claim or objection shall be made in writing and shall specify the constituency in question, the grounds on which the right of any person to be entered in the list is asserted or denied, the evidence which the claimant or objector intends to lead, the address of the claimant or objector, his number, if any, in the list and the area in the list for which he is entered, and in the case of an objection, the number in the list of the person to whose entry objection is taken and the constituency in the list for which he is entered.

(9) Every claim or objection shall be delivered or sent by post so as to reach the office of the Collector before the date fixed by the Collector in that behalf being a date not later than one month from the date of publication of the list.

(10) The Collector, after hearing the evidence, if any, adduced on behalf of the parties and after further inquiry, if any, shall pass order on the claim or objection, and the order of the Collector relating to such claim or objection shall be final.

(11) The Collector shall cause the list to be amended in accordance with the orders passed under sub-

-rule (10) and shall cause them to be published finally in English and Marathi in such manner as he may deem fit.

(12) If, after the final publication of the list of voters, under sub-rule (11), the Collector on application or otherwise, is satisfied after such inquiry as he deems fit that any entry or entries in the list is or are erroneous or defective in any particular respect, the Collector may cause a list of amendments to be prepared; and thereupon the provisions of sub-rules (3) to (11) shall apply in the case of such list in the like manner as they apply in the case of the list of voters.

(13) Copies of such final lists including the final list of amendments and additions shall be made available for inspection and sale in whole or in part in the office of the Collector or at any other place as the Collector may specify in this behalf.

(14) The final list as also the final list of amendments shall be republished under sub-rule (11) and shall remain in force and continue in operation as the list of voters for the purpose of any bye-election, until it is revised as provided by this rule.

37. Voters' list to be conclusive. — Subject to any disqualification incurred by a person, the voters list published finally under rule 36 shall be conclusive evidence for the purpose of determining whether any person is qualified to vote, or as the case may be, is qualified or is not qualified to be elected at any election.

38. Persons qualified to be elected. — Every person whose name is in the list of voters of any constituency shall, unless disqualified under these rules, be qualified to be elected; and every person whose name is not in such list shall not be qualified to be elected from any constituency.

39. Right to vote. — (1) No person who is not, and except as expressly provided by these rules, every person who is for the time being, entered in the list of voters of any constituency, shall be entitled to vote in that constituency.

(2) No person shall vote at any election in any constituency if he is subject to any disqualification under these rules.

(3) No person shall vote in more than one constituency; and if a person does so vote, his votes in all such constituencies shall be void.

(4) No person shall at any election vote in the same constituency more than once, notwithstanding that his name may have been entered in the list of voters for that constituency more than once; and if he does so vote, all his votes in that constituency shall be void.

(5) No person shall vote at any election, if he is confined in a prison whether under a sentence of imprisonment or otherwise or is in lawful custody of the police:

Provided that, nothing in this sub-rule shall apply to a person subjected to preventive detention under any law for the time being in force.

40. Election of Chairman or representative of co-operative societies. — If there are more than one

co-operative societies doing the business of marketing of declared agricultural produce or operating as processor in the market area, the Collector shall call upon such societies, if they so desire, to communicate the names of their Chairman or in the absence of Chairman their representative by a specified date for being elected on the Market Committee. On receipt of the names of the Chairman or the representative of the societies, as the case may be, the Collector shall direct them to elect one of them to be a member on the Market Committee. Such an election may be held by ballot on a date, place and hour to be fixed by the Collector. In case of equality of votes, the selection shall be made by drawing lots.

41. Disqualifications of membership. — (1) A person shall be disqualified for being chosen as, or for being, a member of a Market Committee —

(a) If he has been convicted by a court in India of any offence and sentenced to imprisonment for a term exceeding six months unless such disqualification has been removed by an order of the Administrator;

(b) if he has not attained the age of 21; or

(c) if he is of unsound mind and stands so declared by a competent court; or

(d) if he is an undischarged insolvent; or

(e) if he is a deaf-mute; or

(f) if he has failed to pay any fees or charges due to the Market Committee; or

(g) if he is a servant of the Market Committee or holds a licence from such Committee other than that of a trader or commission agent; or

(h) if he has directly or indirectly or by his partner any share or interest in any contract or employment with or on behalf of or under the Market Committee; or

(i) if he has committed breach of the Act or the rules or bye-laws made thereunder more than once; or

(j) if he has failed to make payments to sellers within 24 hours.

(2) A person shall not be chosen as a member —

(i) representing the traders' constituency, if he does not ordinarily reside in the market area or if the licence issued to him is cancelled, or suspended or not renewed;

(ii) representing agriculturists' constituency, if his main income is not from agriculture or possesses a trader's, commission agent's or broker's licence or has interest in a joint family or a firm which has a trader's or commission agent's or broker's licence.

Explanation. — For the purpose of this sub-rule, a person shall be deemed to be ordinarily residing in the market area, if he resides in such area for not less than 180 days in a calendar year.

42. Order for general election to Market Committee. — (1) A general election shall be held for the purpose of constituting a new Market Committee on the expiration of the duration of the existing Market Committee or on its supersession.

(2) For the said purpose, the Collector shall by an order call upon all the constituencies in a market area to elect members in accordance with the provisions of these rules before the date specified by him in the order.

sions of these rules before the date specified by him in the order.

43. Appointment of dates of nominations, etc. —

(1) As soon as the order calling upon a constituency to elect a member or members is issued, the Collector shall, subject to the provisions of sub-rule (2) by order appoint —

(a) the last date, time and place for making nominations, which date shall not be less than 14 days after the date of the first mentioned notification;

(b) the date, time and place for the scrutiny of nominations.

(c) the last date for the withdrawal of candidature.

(d) the date or dates on which and the place or places at which and the hours during which a poll shall, if necessary, be taken.

(e) the day on which and the place and hour at which the votes shall be counted.

(2) The Collector shall, not less than 45 days before the date fixed for the poll, publish in English and Marathi the dates so appointed by means of a notice in the newspapers circulating in the market area and post copies of such notice on the notice board of the Market Committee and in Village Chavdis and other conspicuous places in the villages included in the market area.

44. Nomination of Candidates. — (1) Any person may be nominated as a candidate for election to fill a seat if he is qualified to be chosen to fill that seat under the provisions of these rules.

(2) Every nomination paper presented under rule 45 shall be completed in Form 9.

(3) A nomination paper shall be supplied by the Returning Officer or an officer authorised by him in this behalf, to any voter on demand.

45. Presentation of nomination paper and requirements for valid nomination. — (1) On or before the date appointed under clause (a) sub-rule (1) of rule 43, each candidate shall either in person or by his proposer deliver to the Returning Officer during the time and at the place specified in the order made under rule 43 a nomination paper completed as provided by rule 44 and signed by the candidate and by a voter of the constituency as proposer.

(2) Any person who is not subject to any disqualification as a voter under these rules and whose name is entered in the list of voters for the constituency for which the candidate is nominated, may subscribe as proposer. He shall not subscribe as proposer more than one nomination paper.

(3) On the presentation of a nomination paper, the Returning Officer shall satisfy himself that the names and the numbers in the list of voters of the candidate and his proposer as entered in the nomination paper are the same as those entered in the list of voters. If a nomination paper is rejected under this sub-rule, the Returning Officer shall record thereon his reasons for rejecting the same; and in that case, the candidate may deliver a fresh nomination paper subject, however, to all the provisions of this rule.

Provided that, the Returning Officer shall permit any clerical or technical error in the nomination.

paper in regard to the said names or numbers to be corrected in order to bring them into conformity with the corresponding entries in the list of voters; and where necessary, any clerical or printing error in the said entries shall be overlooked.

(4) Where the candidate is a voter of a different constituency, a list of voters of that constituency or of the relevant part thereof or a certified copy of the relevant entries in such list of voters shall, unless it has been filed along with a nomination paper, be produced before the Returning Officer at the time of scrutiny.

(5) Nothing in this rule shall prevent any candidate from being nominated by more than one nomination paper for election in the same constituency.

46. Right to be nominated in two or more constituencies in a market area. — When elections for two or more constituencies in a market area are to be held, one and the same person may, if he is otherwise duly qualified, be nominated as a candidate for each of such constituencies.

47. Symbols of election. — (1) The Collector shall by order pasted on the notice board of the Market Committee specify the symbols that may be chosen by candidates at an election in any constituency and the restrictions to which their choice shall be subject.

(2) Where at any such election, more nomination papers than one are delivered on behalf of a candidate, the declarations as to symbols made in the nomination paper first delivered and no other declaration as to symbols shall be taken into consideration under rule 53 even if that nomination paper has been rejected.

48. Deposits. — A candidate shall not be deemed to be duly nominated for election from a constituency unless he deposits or causes to be deposited with the Returning Officer, a sum of rupees one hundred in cash at the time of nomination:

Provided that, where a candidate has been nominated by more than one nomination paper for election in the same constituency, not more than one deposit shall be required of him under this rule.

49. Notice of nomination and time and place for the scrutiny. — The Returning Officer shall, on receiving the nomination paper under sub-rule (1) of rule 45, inform the person or persons delivering the same of the day, time and place fixed for the scrutiny of nominations, and shall enter on the nomination paper, its serial number and shall sign thereon a certificate stating the date on which and the hour at which the nomination paper has been delivered to him; and shall as soon as may be thereafter, cause to be affixed in some conspicuous place in his office a notice of the nomination containing descriptions similar to those contained in the nomination paper, both of the candidate and of the proposer.

50. Scrutiny of nominations. — (1) On the date appointed for the scrutiny of nominations under rule 43, the candidates, one proposer of each candidate, and one other person duly authorised in writing by each candidate, but no other person, may attend at the time and place appointed in this behalf under

rule 43 and the Returning Officer shall give them all reasonable facilities for examining the nomination papers of all candidates which have been delivered as required by sub-rule (1) of rule 45.

(2) The Returning Officer shall then examine the nomination papers and shall decide all objections which may be made to any nomination, and may, either on such objection or on his own motion, after such summary inquiry, if any, as he thinks necessary, reject any nomination on any of the following grounds, that is to say: —

(a) that the candidate is disqualified for being chosen to fill the seat under these rules;

(b) that the proposer is disqualified from subscribing a nomination paper;

(c) that there has been a failure to comply with any of the provisions or rule 45 or 48;

(d) that the signature of the candidate or the proposer on the nomination paper is not genuine.

(3) Nothing contained in clause (c) or (d) of sub-rule (2) shall be deemed to authorise the rejection of the nomination of any candidate on the ground of any irregularity in respect of a nomination paper, if the candidate has been duly nominated by means of another nomination paper in respect of which no irregularity has been committed.

(4) The Returning Officer shall not reject any nomination paper on the ground of any defect which is not of a substantial character.

(5) The Returning Officer shall hold the scrutiny on the date appointed in this behalf under clause (b) of rule 43 and shall not allow any adjournment of the proceedings except when such proceedings are interrupted or obstructed by riot or open violence or by causes beyond his control:

Provided that, in case any objection is raised by the Returning Officer or is made by any other person, the candidate concerned may be allowed time to rebut it not later than the next day, and the Returning Officer shall record his decision on the date to which the proceedings have been adjourned.

(6) The Returning Officer shall endorse on each nomination paper his decision accepting or rejecting the same and, if the nomination paper is rejected, shall record in writing a brief statement of his reasons for such rejection.

(7) For the purposes of this rule, the production of a certified copy of an entry made in the list of voters of the relevant constituency shall be conclusive evidence of the right of any voter named in that entry to stand for election, unless it is proved that the candidate is disqualified.

(8) Immediately after all the nomination papers have been scrutinised and decisions accepting or rejecting the same have been recorded, the Returning Officer shall, subject to the provisions of rule 51, prepare a list of candidates whose nominations have been accepted. Immediately after the scrutiny is over, the Returning Officer shall affix the list on his notice-board and shall record the date on which, and the time at which, the list was so affixed.

51. Appeal. — (1) Any candidate, aggrieved by a decision of the Returning Officer accepting or rejecting a nomination paper, may present an appeal

therefrom to the State Marketing Officer within a period of seven days from the date on which the notice, containing the names of the candidates accepted by the Returning Officer is affixed on the notice-board under sub-rule (8) of rule 50 and shall ordinarily furnish on the same day to the Returning Officer a copy of the petition of appeal together with as many copies of the petition as there are candidates whose nomination papers have been accepted (excluding himself).

(2) The decision of the State Marketing Officer on appeal under this rule and subject only to such decision, the decision of the Returning Officer accepting or rejecting the nomination of a candidate shall be final and conclusive.

52. Withdrawal of candidature.— (1) Any candidate may withdraw his candidature by notice in writing subscribed by him and delivered to the Returning Officer—

(a) where no appeal is presented under rule 51, on the day immediately following the day after the expiry of the period referred to in sub-rule (1) of rule 51, and

(b) where such appeal is made, on the day next following the day on which the decision of the State Marketing Officer is given.

(2) The notice shall be delivered to the Returning Officer before 3 o'clock in the afternoon on the day fixed under sub-rule (1) for withdrawal of candidature.

(3) The notice may be delivered either by the candidate in person or by his proposer who has been authorised in this behalf in writing by the candidate.

(4) No person who has given a notice of withdrawal of his candidature under sub-rule (1) shall be allowed to cancel the notice.

(5) The Returning Officer shall, on being satisfied as the genuineness of a notice of withdrawal and the identity of person delivering it under sub-rule (1), cause a notice to be affixed on the notice-board in his office.

53. Preparation of list of contesting candidates.—

(1) Immediately after the expiry of the period within which candidatures may be withdrawn under sub-rule (1) of rule 52, the Returning Officer shall prepare and publish in Form 10 a list of contesting candidates; that is to say candidates whose nomination papers have been finally accepted and who has not withdrawn their candidature within the said period.

(2) The said list shall, subject to the provisions of sub-rule (4), contain the names in alphabetical order and the addresses of the contesting candidates as given in the nomination papers.

(3) The list of contesting candidates shall be prepared in English and Marathi.

(4) The alphabetical order referred to in sub-rule (2) shall be determined with reference to the surnames of the candidates having surnames, and the names proper, of other candidates.

(5) Where a poll becomes necessary, the Returning Officer shall consider the choice of symbols expressed by the contesting candidates in their nomination

papers and shall, subject to any general or special directions issued in this behalf by the Collector—

(a) Allot a different symbol to each contesting candidate in conformity, as far as practicable, with his choice; and

(b) if more contesting candidates than one have indicated their preference for the same symbol, decide by lot to which of such candidates the symbol will be allotted.

(6) The allotment by the Returning Officer of any symbol to a candidate shall be final.

(7) Every candidate shall forthwith be informed of the symbol allotted to the candidate and be supplied with a specimen thereof by the Returning Officer.

54. Publication of list of contesting candidates.— The Returning Officer shall, immediately after its preparation, cause a copy of the list of contesting candidates to be affixed on the notice-board in his office and shall also supply a copy to each of the contesting candidates and to the Market Committee.

55. Death of candidate before poll.— If a contesting candidate dies and a report of his death is received by the Returning Officer before the commencement of the poll, the Returning Officer shall, upon being satisfied of the fact of the death of the candidate, countermand the poll and the Returning Officer shall report the fact to the Collector and all proceedings with reference to the election shall be commenced anew in all respects as if for anew election:

Provided that,

(i) no further nomination shall be necessary in the case of a person who was a contesting candidate at the time of the countermanding of the poll; and

(ii) no person who has given a notice of withdrawal of his candidature under sub-rule (1) of rule 52 before the countermanding of the poll, shall be ineligible for being nominated as a candidate for the election after such countermanding.

56. Uncontested elections.— In any constituency if there is only one candidate whose nomination has been accepted, or if there are as many candidates as there are seats to be filled in or less candidates than the number of seats to be filled in and their nominations have been accepted, the Returning Officer shall forthwith declare him or them to be duly elected to fill in the seat or seats, as the case may be.

57. Contested elections.— In cases other than those covered by rule 56, a poll shall be taken.

58. Manner of voting at elections.— (1) At every election where a poll is taken, votes shall be given by ballot in the manner hereinafter provided and no votes shall be received by proxy:

(2) Every voter from a traders' constituency shall have as many votes as there are members to be elected on behalf of the constituency, but he shall not have more than one vote for one candidate and every voter in an agriculturists' constituency shall have only one vote.

59. Supply of materials to the polling station. —

(1) The Returning Officer shall provide for each polling station the necessary number of ballot boxes, a sufficient number of ballot papers, three copies of electoral roll, a list of the nominations and such other papers, stationery and forms as may be necessary.

(2) **Ballot Box: —** Every ballot box shall be of such design as may be approved by the Collector.

60. Form of ballot paper. — (1) Every ballot paper shall be in Form 10.

(2) The names of the candidates shall be arranged on the ballot paper in the same order in which they appear in the list of contesting candidates.

(3) If two or more candidates bear the same name, they shall be distinguished by the addition of their occupation or residence or in some other manner as may be decided upon by the Collector.

61. Identification of votes. — (1) The Presiding Officer may employ at the polling station such persons as he thinks fit to help in the identification of the voters or to assist him otherwise in taking a poll.

(2) As each voter enters the polling station, the Presiding Officer or the Polling Officer authorised by him in this behalf shall check the voter's name and other particulars with the relevant entry in the list of voters and then call out the serial number, name and other particulars of the voter.

(3) In deciding the right of a person to obtain a ballot paper, the Presiding Officer or the Polling Officer shall overlook merely clerical or printing errors in an entry in the list of voters, if he is satisfied that such person is identical with the voter to whom such entry relates.

62. Issue of ballot paper. — (1) No ballot paper shall be issued to any voter before the hour fixed for the commencement of the poll.

(2) No ballot paper shall be issued to any voter after the hour fixed for the closing of the poll except to those who are present inside the polling station at the time of the closing of the poll. Such voters shall be allowed to record their votes even after the poll closes.

(3) Every ballot paper shall before issue to a voter, be stamped with such distinguishing mark as the Collector may direct.

(4) At the time of issuing a ballot paper to a voter, the Polling Officer shall record the serial number thereof against the entry relating to the voter in the copy of the list of voters set apart for the purpose.

(5) Save as provided in sub-rule (4), no person in the polling station shall note down the serial number of the ballot paper issued to a particular voter.

63. Voting procedure. — (1) The voter on receiving the ballot paper shall forthwith —

(a) proceed to one of the polling compartments;

(b) there make a mark on the ballot paper with the instrument supplied for the purpose on or near the symbol of the candidate for whom he intends to vote;

(c) fold the ballot paper so as to conceal his vote;

(d) if required, show the Presiding Officer the distinguishing mark on the ballot paper;

(e) insert the folded ballot paper into the ballot box; and

(f) quit the polling station.

(2) Every voter shall vote without undue delay.

(3) No voter shall be allowed to enter a polling compartment when another voter is inside it.

64. Recording of vote of blind or infirm voter. —

(1) If owing to blindness or other physical infirmity, a voter is unable to recognise the symbols on the ballot paper or to make a mark thereon, the Presiding Officer shall record the vote on the ballot paper in accordance with the wishes of the voter, fold it so as to conceal the vote and insert it into the ballot box.

(2) While acting under this rule, the Presiding Officer shall observe as much secrecy as is feasible. He shall keep a brief record of each such instance but shall not indicate therein the manner in which any vote has been given.

65. Spoilt and returned ballot papers. — (1) A voter who has inadvertently dealt with his ballot paper in such manner that it cannot be conveniently used as a ballot paper may, on returning it to the Presiding Officer and on satisfying him of the inadvertence, be given another ballot paper, and the ballot paper so returned shall be marked "Spoilt-cancelled" by the Presiding Officer.

(2) If a voter after obtaining a ballot paper decides not to use it, he shall return it to the Presiding Officer, and the ballot paper so returned shall be marked as "returned-cancelled" by the Presiding Officer.

(3) All ballot papers cancelled under sub-rule (1) or sub-rule (2) shall be kept in a separate packet.

66. Tendered Votes. — (1) If a person representing himself to be a particular voter applies for a ballot paper after another person has already voted as such voter, he shall, on satisfactorily answering such questions relating to his identity as the Presiding Officer may ask, be entitled, subject to the following provisions of this rule, to make a ballot paper (hereinafter referred to as a "tendered ballot paper") in the same manner as any other voter.

(2) Every such person shall, before being supplied with a tendered ballot paper, sign his name against the entry relating to him in the tendered votes list in Form 12.

(3) A tendered ballot paper shall be the same as the other ballot papers used at the polling station except that it shall be —

(a) serially the last in the bundle of ballot papers issued for use at the polling station; and

(b) endorsed on the back with the words "tendered ballot paper" by the Presiding Officer in his own hand and signed by him.

(4) The voter, after marking a tendered ballot paper in the polling compartment and folding it,

shall, instead of putting it into the ballot box give it to the Presiding Officer, who shall place it in a cover specially kept for the purpose.

67. Closing of Poll. — (1) The Presiding Officer shall close a polling station at the hour fixed in that behalf under rule 43 and shall not thereafter admit any voter into the polling station:

Provided that, all voters present inside the polling station before it is closed shall be allowed to cast their votes.

(2) If any question arises whether a voter was present at the polling station before it was closed, it shall be decided by the Presiding Officer and his decision shall be final.

68. Sealing of ballot boxes after poll. — (1) As soon as practicable after the closing of the poll, the Presiding Officer shall, in the presence of any candidates or their agents, close the slit of the ballot box and where the ballot box does not contain any mechanical device for closing the slit, he shall seal up the slit and also allow any polling agent present to affix his seal.

(2) The ballot box shall thereafter be sealed and secured.

(3) Where it becomes necessary to use a second ballot box by reason of the first box getting full, first box shall be closed, sealed and secured as provided in sub-rules (1) and (2) before another ballot box is put into use.

69. Account of ballot papers. — The Presiding Officer shall, at the close of the poll, prepare a ballot paper account in Form 13 and enclose it in a separate cover with the words "Ballot Paper Account" super-scribed thereon.

70. Sealing of other packets. — (1) The Presiding Officer shall then make into separate packets —

- (a) the marked copy of the list of voters;
- (b) the unused ballot papers;
- (c) the cancelled ballot papers;
- (d) the cover containing the tendered ballot papers and the list of tendered ballot papers;
- (e) the list of challenged votes; and
- (f) any other papers directed by the Returning Officer to be kept in sealed packet.

(2) Each such packet shall be sealed with the seals of the Presiding Officer and of those candidates or their agents, if any, present who may desire to affix their seals thereon.

71. Transmission of ballot boxes, packets, etc., to the Returning Officer. — (1) The Presiding Officer shall then deliver or cause to be delivered to the Returning Officer at such place as the Returning Officer may direct —

- (a) the ballot boxes;
- (b) the ballot paper account;
- (c) the sealed packets referred to in rule 70; and
- (d) all other papers used at the poll.

(2) The Returning Officer shall make adequate arrangements for the safe transport of all ballot

boxes, packets and other papers and for their safe custody until the commencement of the counting of votes.

PART II

Counting of Votes

72. Counting of votes. — At every election where a poll is taken, votes shall be counted by, or under the supervision and direction of, the Returning Officer, and each contesting candidate, his election agent, and his counting agents, if any, shall have a right to be present at the time of counting.

73. Admission to place fixed for counting. — (1) The Returning Officer shall exclude from the place fixed for counting of votes all persons except —

- (a) such persons as he may appoint to assist him in the counting;
- (b) persons authorised by the Collector;
- (c) public servants on duty in connection with the election; and
- (d) candidates, their election agents and counting agents, if any.

(2) No person who has been employed by or on behalf of, or has been otherwise working for, a candidate in or about the election shall be appointed under clause (a) of sub-rule (1).

(3) The Returning Officer shall decide which counting agent or agents shall watch the counting at any particular counting table or group of counting tables.

(4) Any duly authorised person who during the counting of votes misconducts himself or fails to obey the lawful directions of the Returning Officer, may be removed from the place where the votes are being counted by the Returning Officer, or by any person in this behalf by the Returning Officer.

74. Scrutiny and opening of ballot boxes. — (1) The Returning Officer may have the ballot boxes used at more than one polling station opened and their contents counted simultaneously.

(2) Before any ballot box is opened at a counting table, the counting agents present at that table shall be allowed to inspect the paper seal or such other seal as might have been affixed thereon and to satisfy themselves that it is intact.

(3) The Returning Officer shall satisfy himself that none of the ballot boxes has in fact been tampered with.

(4) If the Returning Officer is satisfied that any ballot box has in fact been tampered with, he shall not count the ballot papers contained in that box and shall order a fresh poll.

75. Scrutiny and rejection of ballot papers. — (1) The ballot papers taken out of each ballot box shall be arranged in convenient bundles and scrutinised.

(2) The Returning Officer shall reject a ballot paper —

- (a) if it bears any mark or writing by which the voter can be identified; or
- (b) if no vote is recorded thereon; or
- (c) if votes are given on it in favour of more candidates than there are vacancies to be filled in.

or if more than one vote is recorded on it for one candidate; or

(d) if the mark indicating the vote thereon is placed in such manner as to make it doubtful to which candidate the vote has been given; or

(e) if it is a spurious ballot paper; or

(f) if it is so damaged or mutilated that its identity as a genuine ballot paper cannot be established; or

(g) if it bears a serial number, or is of a design, different from the serial number, or as the case may be, design of the ballot papers authorised for use at the polling station; or

(h) if it does not bear the mark which it should have borne under the provisions of sub-rule (3) of rule 62:

Provided that —

(i) where a Returning Officer is satisfied that any such defect as is mentioned in clause (g) or (h) has been caused by any mistake or failure on the part of the Presiding Officer or the Polling Officer, the ballot paper shall not be rejected merely on the ground of such defect;

(ii) a ballot paper shall not be rejected merely on the ground that the mark indicating the vote is indistinct or made more than once, if the intention that the vote shall be for a particular candidate clearly appears from the way the paper is marked.

(3) Before rejecting any ballot paper under sub-rule (2) the Returning Officer shall allow each counting agent present a reasonable opportunity to inspect the ballot paper but shall not allow him to handle it or any other ballot paper.

(4) The Returning Officer shall record on every ballot paper which he rejects the letter "R" and the grounds of rejection in abbreviated form either in his own hand or by means of a rubber stamp.

(5) All ballot papers rejected under this rule shall be bundled together.

76. Counting of votes. — (1) Every ballot paper which is not rejected under rule 75 shall be counted as one valid vote:

Provided that, no cover containing tendered ballot papers shall be opened and no such paper shall be counted.

(2) After the counting of ballot papers contained in all the ballot boxes used at a polling station has been completed, the Returning Officer shall make the entries in a result sheet in Form 14 and announce the particulars.

(3) The valid ballot papers shall thereafter be bundled together and kept along with the bundle of rejected papers in a separate packet which shall be sealed and on which shall be recorded the following particulars, namely: —

(a) the name of the constituency,

(b) the particulars of the polling station where the ballot papers have been used, and

(c) the date of counting.

77. Counting to be continuous. — The Returning Officer shall, as far as practicable, proceed conti-

nuously with the counting of votes and shall, during any intervals when the counting has to be suspended, keep the ballot papers, packets and other papers relating to the election sealed with his own seal and the seals of such candidates or their agents as may desire to affix their seals and shall cause adequate precautions to be taken for their safe custody.

78. Re-commencing of counting after fresh poll. —

(1) If a fresh poll is held under rule 74, the Returning Officer, shall, after completion of that poll, re-commence the counting of votes on the date and at the time and place which have been fixed by him in that behalf and of which notice has been previously given to the candidates and their election agents.

(2) The provisions of rules 75 and 76 shall apply so far as may be to such further counting.

79. Recount of votes. — (1) After the completion of the counting, the Returning Officer shall record in the result sheet in Form 13 the total number of votes polled by each candidate and announce the same.

(2) After such announcement has been made, a candidate or, in his absence, his election agent may apply in writing to the Returning Officer for a recount of all or any of the ballot papers already counted stating the grounds on which he demands such recount.

(3) On such an application being made, the Returning Officer shall decide the matter and allow the application in whole or in part or may reject it *in toto* if it appears to him to be frivolous or unreasonable.

(4) Every decision of the Returning Officer under sub-rule (3) shall be in writing and contain the reasons therefor.

(5) If the Returning Officer declares under sub-rule (3) to allow the application either in whole or in part, he shall —

(a) count the ballot papers again in accordance with his decision;

(b) amend the result sheet in Form 13 to the extent necessary after such recount, and

(c) announce the amendments so made by him.

(6) After the total number of votes polled by each candidate has been announced under sub-rule (1) or sub-rule (5), the Returning Officer shall complete and sign the result sheet in Form 13 and no application for a recount shall be entertained thereafter:

Provided that, no step under this sub-rule shall be taken on the completion of the counting until the candidates and their agents present at the completion thereof have been given a reasonable opportunity to exercise the right conferred by sub-rule (2).

80. Power to declare persons elected in certain contingencies. — If at any election after counting of votes is completed, an equality of votes is found to exist between any candidates, and the addition of one vote will entitle any of these candidates to be declared elected, such officer as the Returning Officer may empower in this behalf, shall decide between those candidates by lot, and proceed as if the candidate on whom the lot falls had received an additional vote.

81. Declaration of result. — The Returning Officer shall then, subject to the provisions of rule 80, if and so far as they apply to the particular case, and if he has been so empowered by the Collector thereunder declare to be elected the candidate to whom the highest number of valid votes has been given, complete and certify the return of election in Form 15 and send signed copies thereof to the Collector as soon as possible.

82. Election to more than one seat. — If a person is elected to more than one seat, then unless within a period of fourteen days from the date of his election, he resigns all but one of the seats by writing under his hand addressed to the Collector or to any Officer authorised by him in this behalf, all the seats shall become vacant. On receipt of such resignation or on the seats becoming vacant as aforesaid, the Collector shall declare the candidate from the constituency or constituencies concerned securing the next higher number of votes as duly elected.

83. Publication of names of members. — (1) On receipt of election returns under rule 81, the Collector shall publish the names of all elected members by causing a list of such names (together with their permanent addresses and the names of the constituencies from which they are elected) to be pasted on the notice board or at any prominent place in his office. He shall also forward such list to the Administrator for publication in the *Official Gazette*.

(2) The Collector shall also publish the names of members falling under clauses (c), (d), (e), (f) and (g) of sub-section (1) of section 13 by causing a list of such names (together with their permanent addresses) to be pasted on the notice board or at any prominent place in his office.

84. Return or forfeiture of candidate's deposit. —

(1) The deposit made under rule 48, shall either be returned to the person making it or his legal representative or be forfeited to the Market Committee in accordance with the provisions of this rule.

(2) Except in cases hereafter mentioned in this rule, deposit shall be returned as soon as practicable after the result of the election is declared.

(3) If the candidate is not shown in the list of contesting candidates, or if he dies before the commencement of the poll, the deposit shall be returned to him as soon as practicable after the publication of the list, or after his death to his legal heir.

(4) Subject to the provisions of sub-rule (3), the deposit shall be forfeited if at an election where a poll has been taken, the candidate is not elected and the number of valid votes polled by him does not exceed one-tenth of the total number of valid votes polled by all the candidates in the constituency.

85. Custody of papers relating to election. — The Returning Officer shall keep in custody the packets referred to in rule 70 and all other papers relating to the election.

86. Production, inspection and disposal of election papers. — (1) While in the custody of the Returning Officer —

(a) the packets of unused ballot papers;

(b) the packets of used ballot papers whether valid, tendered or rejected; and

(c) the packets of marked copies of the list of voters;

shall not be opened and their contents shall not be inspected by, or produced before any person or authority except under the order of a competent court or authority.

(2) All other papers relating to the election shall be open to public inspection.

(3) The packets referred to in sub-rule (1) shall be retained for a period of one year and shall thereafter be destroyed subject to any direction to the contrary given by the Collector.

(4) All other papers relating to the election shall be retained until the termination of the next general election for the constituency to which they relate and shall thereafter be destroyed subject to any direction to the contrary given by the Collector.

87. Casual vacancies in Market Committee. — When the seat of a member elected to a Market Committee becomes vacant or is declared vacant or his election (including bye-election) to the Market Committee is set aside, the Collector shall fix a date, as soon as conveniently may be, for holding bye-election to fill the seat and the provisions of these rules shall thereupon *mutatis mutandis* apply accordingly.

88. Determination of validity of election. — (1) If the validity of any election, including bye-election of a member of a Market Committee is brought in question by any person qualified either to be elected or to vote at the election to which such question refers, such person may, within seven days after the date of the declaration of the result of the election, apply in writing to the Collector.

(2) On receipt of an application under sub-rule (1), the Collector shall, after giving an opportunity to the applicant to be heard and after making such inquiry as he deems fit, pass an order confirming or amending the declared result of election or setting the election aside. If the Collector sets aside the election, he shall fix a date, as soon as conveniently may be, for holding a fresh election.

(3) Any person aggrieved by the decision of the Collector may, within seven days from the date on which the decision is communicated to him, appeal to the State Marketing Officer against such decision; and the decision of the Collector, subject to the decision of the State Marketing Officer in appeal, shall be final.

89. Declaration of disqualification. — (1) If at any time the Collector, after such inquiry as he considers necessary and after giving an opportunity to the member concerned to be heard is satisfied that any member of a market committee elected or nominated under these rules, —

(a) was subject to any of the disqualifications mentioned in rule 41 at the date of his election or nomination; or

(b) has incurred any of the disqualifications mentioned in rule 41 after his election or nomination, or

(c) has ceased to be a member representing an agriculturists' constituency, a firm, corporate body

or a Co-operative Marketing and Processing Society of which he is a representative,

the Collector shall declare the election or nomination of such member invalid or that such member shall not continue to be the member of the Market Committee.

(2) Any person aggrieved by the decision of the Collector may, within seven days from the date on which such decision is communicated to him, appeal to the State Marketing Officer against such decision.

90. **Expenditure in connection with or incidental to elections.** — All expenditure incurred by a Collector or Returning Officer in connection with or incidental to an election of members of a Market Committee shall be a sum due to the Government and such sum shall be recoverable from the Market Committee as an arrear of land revenue as provided by section 57.

CHAPTER IV

Chairman and Vice-Chairman

91. **Term of office and casual vacancy in the office of the Chairman and Vice-Chairman.** — The Chairman and Vice-Chairman shall, subject to the provisions of section 21, hold office so long as they continue to hold office as members under sub-section (3) of section 14.

92. **Functions and powers of Chairman and Vice-Chairman.** — (1) The Chairman shall —

(a) convene, preside at and conduct meetings of a Market Committee;

(b) have access to the records of a Market Committee;

(c) discharge all duties imposed and exercise all powers conferred on him by or under the Act and the rules and bye-laws made thereunder;

(d) have control over all officers and servants of the Market Committee subject to these rules and to the directions, if any, given by the Committee;

(e) supervise and control the execution of all the activities of the Market Committee; and

(f) conduct or cause to be conducted correspondence and be responsible for the keeping of accounts, for the punctual rendering of the accounts, reports and returns and for the custody of all amounts (other than those deposited in the treasury or with a bank approved by the State Marketing Officer).

(2) The Vice-Chairman shall —

(a) in the absence of a Chairman, preside at the meetings of a Market Committee.

(b) exercise such of the powers and perform such of the duties of the Chairman as the Chairman may, subject to any bye-laws made by the Market Committee in this behalf, delegate to him by an order in writing;

(c) pending the election of a Chairman, or during the absence of the Chairman from the market area, or by reason of leave obtained with the permission of the Market Committee, exercise the powers and perform the duties of the Chairman.

93. **Leave of absence to Chairman or Vice-Chairman.** — (1) The Chairman or Vice-Chairman, if he wants to remain absent from any meeting of the Market Committee, or for a period not exceeding thirty days in the aggregate in a year shall, on or before the date fixed for that meeting or as the case may be, at any time before the date of the leave asked for, apply to the Committee for leave stating the reasons for which the leave is required.

(2) The Market Committee may, by a resolution passed in that behalf, grant, the Chairman or Vice-Chairman the leave applied for.

(3) Any absence from the meeting of a Market Committee without permission obtained in accordance with the provisions of this rule shall, for the purposes of section 24, be deemed to be absence from the meetings of the Committee without its leave.

93.A. **Motion of No-Confidence against Chairman or Vice-Chairman.** — (1) Notice of a motion of no-confidence against the Chairman of the committee shall be in writing addressed to the Chairman or the Secretary of the committee in Form No. 28, signed by the member of the Market Committee who intends to move the motion and shall contain the signatures of not less than one third of the total number of members of the Market Committee in token of their supporting the notice. In case, the motion of no-confidence is against both the Chairman and Vice-Chairman separate notices, one in respect of the Chairman and the other in respect of the Vice-Chairman, shall be given in the manner aforesaid.

(2) On the receipt of a notice under sub-rule (1) the Chairman or the Secretary of the committee shall intimate the same to the State Marketing Officer.

(3) In the meeting of the Committee in which a motion of no-confidence is for consideration while such motion is being considered:

i) The Vice-Chairman, if the motion of no-confidence is against the Chairman only;

ii) The Chairman, if the motion of no-confidence is against the vice-Chairman only;

iii) Such member of the Committee other than the member or members giving or supporting the notice under sub-rule (1) as may be elected by the members present at the meeting, if the motion of no-confidence is against both the chairman and Vice-Chairman shall preside.

(4) Save as otherwise provided in the Act a meeting convened for the purpose of considering a motion under this rule shall not for any reason be adjourned.

(5) The Secretary of the Committee shall communicate forthwith the State Marketing Officer, the decision taken by the committee on any motion of no-confidence together with the names of all the members of the committee present at the meeting and number of votes given in favour of or against such motion. He shall also forward at the same time to each member, present at the meeting a copy of the motion and the result of the voting thereon.

CHAPTER V

Market Committee — Powers and Duties

94. **The Market Committee to provide for certain matters.** — After paying all sums due to Govern-

ment, a Market Committee shall, so far as the funds at its disposal permit, but subject to the provisions of the Act and these rules, provide—

(1) for the maintenance and improvement of any enclosure or building which may constitute the market;

(2) for the construction and repair of building, and other erection necessary for the purpose of the market;

(3) for undertaking developments and for amenities in the market;

(4) for the health, convenience and safety of the persons using the market;

(5) for undertaking welfare activities in the interest of the servants of the Market Committee or of the agriculturists residing in the market area with the previous approval of the State Marketing Officer;

(6) for undertaking propaganda and development of marketing of declared agricultural produce;

(7) for miscellaneous expenses not exceeding one per cent of its total income in a year, so however that such expenses does not exceed rupees fifty at a time;

(8) for such other activities as would be conducive to the furtherance of the efficient working of marketing of declared agricultural produce in the market area; and

(9) in respect of depreciation on wasting assets owned by the Market Committee including dead-stock, furniture, fixture, machinery and other things.

95. Duties of Market Committee.— (1) A Market Committee shall furnish all information which the State Marketing Officer or the officers duly authorised by him may require. In addition to the duties prescribed by the Act and the rules and bye-laws made thereunder, the Market Committee shall also be responsible for—

(i) maintenance of proper checks on all receipts and payment by its officers;

(ii) the proper execution of all works chargeable to the Market Fund;

(iii) keeping a copy of the Act and of the rules and notifications issued thereunder and of its bye-laws open to inspection free of charge at its office; and

(iv) doing such other things as may, from time to time, be necessary for the efficient working of the Market Committee.

(2) On failure of a Market Committee to furnish any information or return on due date, the State Marketing Officer may, after giving due notice to the Market Committee, depute any person working under him, to prepare the return or returns and submit it or them to him. The Chairman and the Secretary of the Committee shall furnish to such person all information necessary for preparing such return or returns. The expenses incurred by the State Marketing Officer in getting such return or information shall be borne by the Market Committee and shall be recoverable from the Market Committee under section 57.

(3) A copy of the proceedings of every meeting of the Market Committee shall be forwarded to the State Marketing Officer or any Officer authorised by him in this behalf.

96. Annual Administration Report.— At the end of each market year, every Market Committee shall prepare an annual report which shall contain such information as may be required by the State Marketing Officer by general or special orders issued from time to time and submit on or before 31st December copies of it to the State Marketing Officer and to such officers as may be specified by the State Marketing Officer in that behalf.

97. Constitution of Board for settlement of disputes under section 10.— (1) For the purposes of section 10, every Market Committee shall from amongst its members, constitute a Board consisting of—

(a) the Vice-Chairman,

(b) three members elected from Agriculturists' constituency,

(c) two members elected from the Traders' Constituency, if the Vice-Chairman is not elected from that constituency; and one member if the Vice-Chairman is elected from that constituency.

(2) No business shall be transacted by the Board, unless three members are present.

(3) Every meeting of the Board shall be presided over by the Vice-Chairman, and if he be absent, by such one of the members present as may be chosen by the meeting to be the presiding authority for the occasion.

(4) All questions shall be decided by a majority of votes of the members present and voting, the presiding authority having a second or casting vote in all cases of equality of votes.

(5) The decision of the Board on all questions shall be binding on the parties to the dispute.

(6) Every Market Committee shall maintain a complete record of all disputes in such form as may be laid down in its bye-laws. The decision shall be communicated to the parties in writing with reasons therefor.

98. Settlement of disputes.— (1) Where any dispute referred to in section 10 arises between any parties operating in a market area, the Secretary of the Market Committee or any person authorised by the Market Committee in that behalf may, if the parties agree to settle such dispute by arbitration refer the dispute to arbitration and in the absence of any such agreement, to the Board constituted under rule 97.

(2) Where parties agree to settle the dispute by recourse to arbitration, each party to the dispute and the Secretary of the Market Committee or any person authorised by the Market Committee in that behalf shall select one arbitrator from the panel of arbitrators appointed under sub-rule (6).

(3) The arbitrators shall, as far as possible, try to reach a unanimous decision; but in case of disagreement, the decision of the majority shall prevail. The decision shall be communicated to the parties in writing with the reasons therefor.

(4) Every dispute shall be decided, as far as possible, on the spot and on the same day.

(5) Any party to the dispute aggrieved by the decision of the arbitrators may, within seven days of such decision, appeal to the Board. The decision of the arbitrators shall, subject to the decision of the Board in appeal, be binding on the parties.

(6) The State Marketing Officer or any officer authorised by him may require a Market Committee to prepare every year a panel of arbitrators consisting of not less than 12 and not more than 15 persons from agriculturists and traders (not being the members of the Market Committee) who are living in or near the market area or doing business in such area. The panel of arbitrators shall be pasted on the notice-board of the office of every Market Committee, and at some conspicuous place in the market.

99. Fees to be paid for settling disputes.— (1) The party at whose instance a dispute is referred for arbitration or to the Board for settlement shall pay in advance to the Market Committee a sum of rupees ten.

(2) The arbitrators of the Board when recording their decision shall also decide the quantum of fees to be paid by each party to the dispute. The amount of fees to be paid by the party at whose instance the dispute is referred to arbitration shall be adjusted against the sum paid by him in advance under sub-rule (1).

(3) If the party at whose instance the dispute is referred to arbitration or to Board is not liable to pay any fees, then the amount of fees paid by him in advance shall be refunded to him by the Market Committee on the day on which the decision of the arbitrators or the Board, as the case may be, is announced.

CHAPTER VI

Officers and Servants of Market Committee

100. Officers and Servants of Market Committee.

—(1) The Secretary and other Officer and servants of the Market Committee shall be divided into three categories, namely:—

- (i) Officers.
- (ii) Superior Servants.
- (iii) Inferior Servants.

(2) (i) Officers include the Secretary, Joint Secretary, Assistant Secretary and Accountant.

(ii) Superior Servants include Treasurer, Clerk, Supervisor, Inspector, Head Clerk, Senior Clerk and Grader.

(iii) Inferior Servants include Peon, Watchman, Waterman, Driver, Gateman, Mali and other manual servants.

(3) Every Market Committee shall have a Govt. servant as the Secretary appointed by the Administrator or by an Officer or authority authorised by him in that behalf.

(4) A Market Committee may also have a Government servant as an Assistant Secretary and Accountant or such number of Assistant Secretaries

and Accountants as may be determined by the State Marketing Officer appointed by the Administrator or an Officer or authority authorised in that behalf.

(4)-A. Subject to such conditions as may be imposed by the Administrator, the Market Committee may employ such Officers other than the Government servants, Superior servants and the inferior servants as may be necessary for the management and regulation of market and for transacting the affairs of the Market Committee and may pay such Officers and servants in accordance with the bye-laws made in this behalf under sub-rule 8 below.

(5) No new post shall be created or any existing post abolished, no appointment to any post (not being a temporary or officiating appointment to any post for a period not exceeding six months) shall be made, and no person in the service of a Market Committee shall be discontinued as a measure of retrenchment or economy in rank except with the previous approval of the State Marketing Officer.

(6) No person in the service of a Market Committee shall be suspended for a period exceeding one month without the previous approval of the State Marketing Officer or any officer specially authorised by him in this behalf.

(7) Subject to the provisions of sub-rule (5), no person shall be appointed to any post by a Market Committee unless such appointment is made in accordance with the bye-laws made for recruitment to such posts and in accordance with the recommendations made by a sub-committee of the Market Committee established under its bye-laws.

(8) The Committee may, with the previous approval of the State Marketing Officer make bye-laws in respect of its employees other than the Government Servants:

(a) for pay-scales attached to various posts;

(b) for grant of leave, including leave allowances;

(c) for establishing and maintaining by the Committee a provident fund on behalf of its officers and servants; and for compelling any such officer or servant to contribute thereto and for contributing to such provident fund from the market fund;

(d) for granting them pension or for subscribing on their behalf for pension or gratuity under any general or special order from the Government for the time being in force;

(e) for establishing and maintaining a compassionate fund;

(f) for regulating the conditions subject to which pensions and gratuities from such funds may be given;

(g) for grant of compensation for injuries resulting from accidents;

(h) for undertaking welfare activities in the interest of the servants of the Market Committee.

(9) In the case of an officer or a servant lent by Government, or by another Market Committee, the Committee may contribute to the leave salary, gratuity or pension to which he may be entitled in accordance with the conditions of his service with Government or with the other Market Committee.

(10) With the sanction of the State Marketing Officer the Committee may give an extraordinary pension or gratuity —

(a) to any officer or servant injured in execution of his duties;

(b) to the family of any officer or servant who is killed in the execution of his duties, or

(c) from the compassionate fund established and maintained under clause (e) of sub-rule (8) to the family of any officer or servant left in indigent circumstances on account of the premature death of such officer or servant.

(11) No officer or servant working in a Market Committee shall —

(a) except in accordance with the general or special order of the Committee, communicate directly or indirectly the contents of any confidential documents or information to any member of the general public;

(b) canvass or otherwise interfere or use his influence in connection with, or take part in, any election to the Committee otherwise than in the discharge of any duties assigned to him officially.

101. Discharges and resignation of officers and servants. — (1) In the absence of a written contract to the contrary, every officer or servant employed by a Market Committee other than a Government servant, shall be entitled to one month's notice before discharge or to one month's salaries in lieu thereof, unless he is discharged during a period of probation or for neglect of duty or misconduct, or was engaged for a specified term and discharged at the end of it, or was employed as a casual servant.

(2) If any officer or servant employed by a Market Committee, other than Government servant, in the absence of a written contract authorising him to do so, and without reasonable cause, resigns his employment or absents himself from his duties without giving one month's notice to the Market Committee, he shall be liable to forfeit a sum not exceeding one month's salaries out of any wages due to him.

102. Penalties. — The following penalties may, for good and sufficient reasons, be imposed upon any officer or servant of a Market Committee, other than a Government servant, namely: —

(i) censure,

(ii) withholding of increments or promotions including stoppage at an efficiency bar,

(iii) reduction to a lower post or a time-scale or to a lower stage in a time-scale,

(iv) recovery from pay of the whole or part of any pecuniary loss caused to the Market Committee by negligence or breach of orders,

(v) suspension,

(vi) removal from the service of the Market Committee which does not disqualify him from future employment, or

(vii) dismissal from the service of the Market Committee which ordinarily disqualifies him from future employment,

(viii) withdrawal of privileges, if any.

103. Order of dismissal, removal or reduction. —

(1) No person who is in the service of a Market Com-

mittee shall be dismissed, removed or reduced in rank except by an order made in that behalf, and except after an inquiry in which he has been informed in writing of the charges against him and opportunity of being heard in respect of those charges is given, and where it is proposed, after such inquiry to impose on him any such penalty until he has been given a reasonable opportunity of making representation on the penalty proposed, but only on the evidence adduced during such inquiry, and resolution recommending the penalty proposed has been passed by the Market Committee by two-thirds majority of the members of the Market Committee:

Provided that, this rule shall not apply —

(a) where a person is dismissed or removed or reduced in rank on the ground of conduct which has led to his conviction on criminal charge; or

(b) where the Market Committee is satisfied, for reasons to be recorded in writing, that it is not reasonably practicable to hold such inquiry.

(2) If in respect of any such person as aforesaid, a question arises whether it is reasonably practicable to hold such inquiry as is referred to in sub-rule (1) the decision of the Market Committee, subject to the decision of the State Marketing Officer in appeal, shall be final.

104. Appeal. — (1) Any person aggrieved by an order imposing any of the penalties referred to in rule 102 may, subject to the provisions of this rule, appeal to State Marketing Officer; and any such person aggrieved by the order of the State Marketing Officer may appeal to the Administrator.

(2) No appeal shall except for sufficient cause, be entertained after the expiry of 30 days from the date of communication in writing of the order which is appealed against.

(3) Every appeal shall be made in the form of a petition in writing, and shall, unless the appellate authority otherwise directs, be presented in person or sent by post.

105. Security. — Every Market Committee shall take sufficient security from such of its officers and servants as are entrusted with the handling of money and property and in such manner and to such extent as may be specified in the bye-laws.

105-A. Every Government servant working in a Market Committee shall be under the direct control of the Chairman of that committee. If any Government servant commits any breach of his duties or neglects to execute the duties assigned to him or commits such acts which may amount to misconduct on his part under the Central Civil Service Conduct Rules, 1964, the Chairman of the concerned Market Committee shall bring the same fact to the notice of the Administrator or any authority authorised by him in this behalf for taking necessary action as per the rules.

106. Duties and powers of the Secretary. — (1) The Secretary shall be the chief Executive Officer of the Committee and shall carry out the resolutions and the directions of the Committee from time to time.

(2) All other Officers and servants of the Committee shall be subject to his control. He shall be

responsible for directing their work in such manner as to ensure proper and efficient working of the market.

(3) The Secretary shall be the head of the Establishment of the Committee.

(4) The Secretary shall also be responsible for maintaining proper accounts for moneys received or expended for or on behalf of the Committee.

(5) The Secretary shall conduct all correspondence of the Committee and attend to Office work.

(6) The Secretary shall also be responsible for maintaining complete records of all the disputes which come up for decision before the Disputes Committee in the form prescribed in the Bye-laws.

(7) The Secretary shall also maintain a record of the disputes settled by him in the form prescribed in the Bye-laws.

(8) On receipt of a complaint either written or oral regarding all matters concerning the sale and purchase of notified agricultural produce in the market, the Secretary shall make all efforts to settle the same amicably failing which he shall take such action as he may think necessary in accordance with provision of the Act, Rules and Bye-laws.

(9) It shall be the duty of the Secretary to see that proper payments to the sellers are being made and no irregularities are committed in making weighments of agricultural produce in the market area.

(10) The Secretary shall sanction the casual leave to all Officers and servants of the Committee including Government Servants.

(11) It shall be the duty of the Secretary to carry out the provisions of the Act, Rules and Bye-laws.

(12) The Secretary shall, in consultation with the Chairman call and attend the meetings of the Market Committee and maintain the proceedings of the meeting.

(13) The Secretary shall advise the Committee and its chairman in the light of the provisions of the Act, Rules and Bye-laws and previous decisions or directions of the Committee.

(14) The Secretary shall supervise all construction works in the market yard in addition to the technical supervision by the Engineering staff if any.

(15) If any decisions of the Committee or the directions of the Chairman or Vice-Chairman are found to be contrary to the Act, Rules and Bye-laws or detrimental to the interest of the market, the secretary before giving effect to the same shall refer the matter for orders to the State Marketing Officer. The State Marketing Officer after giving an opportunity to the Committee or Chairman or Vice-Chairman to be heard shall give a decision and such decision shall be final.

CHAPTER VII

Market Fund Expenditure and Accounts

107. **Market Fund.** — (1) All cash in the Market Fund shall be kept in the Goa State Cooperative Bank Ltd. or in the absence of such Bank, any other Bank duly approved for this purpose by the State Market-

ing Officer and it shall not be drawn upon except in accordance with these rules. Except where the State Marketing Officer on application by a Market Committee or otherwise directs to the contrary, all monies to be credited in the Market Fund shall be credited at least twice a week in full into any such bank.

(2) The Market Committee may, with the approval of the State Marketing Officer or person authorised by him, invest its surplus funds in any of the securities specified in section 20 of the Indian Trust Act, 1882, and Government Saving Certificates.

108. **Expenditure.** — (1) All payments shall, as far as possible, be made by cheques, and receipts for all payments shall be obtained.

(2) Every cheque drawn on behalf of a Market Committee shall be signed by the Chairman and Secretary of the Committee. In the absence of the Chairman, it shall be signed by the Vice-Chairman, and the Secretary. In the absence of both, the Chairman and the Vice-Chairman, it shall be signed by any member duly authorised by the Market Committee and the Secretary and in the absence of the Secretary, it shall be signed either by both the Chairman and Vice-Chairman or by the Chairman and one of the members of the Market Committee.

(3) Except in the following cases, the Chairman shall not pass any bill, unless the expenditure detailed therein has received the previous sanction of the Market Committee, namely: —

(i) salaries and allowances of sanctioned establishment,

(ii) payment for works and repairs sanctioned by competent authority,

(iii) urgent expenditure for which there is budget provision or which does not exceed Rs. 500.

109. **Certain functions which the Market Committee may undertake and for which funds may be spent.** — The Market Committee may, subject to the provisions of the Act and the rules but subject always to the availability of sufficient surplus funds at its disposal, undertake any of the functions such as organisation of seminars, conferences, exhibitions, study tours, grading, standardisation or any other activity which is likely to further the efficient regulation of marketing of declared agricultural produce and spend funds for such purposes with the previous approval of the State Marketing Officer or the officer authorised by him in that behalf.

110. **Remittances to treasury or bank.** — (1) All remittances to a Government treasury or sub-treasury or bank shall be accompanied by chalan or deposit slip in duplicate.

(2) The monthly or other periodical statements of accounts furnished by the bank shall be regularly filed by the Market Committee and made available by it for audit.

111. **Pass Book.** — The pass book shall be got written up-to-date at least once a month by the Secretary from the Bank in which the account is kept.

112. **Submission of Budget.** — (1) The Market Committee shall prepare in such form as may be specified by the State Marketing Officer annual bud-

get of income and expenditure for the ensuing market year. The budget shall include all items of revenue and capital expenditure (including contribution to depreciation fund) and be submitted to the State Marketing Officer or any officer authorised by him in this behalf not later than 31st August, for approval.

It shall also be competent for a Market Committee to prepare a supplementary budget once a year, whenever necessary, in such form as may be specified by the State Marketing Officer and submit it to the State Marketing Officer for approval.

(2) It shall be open to the State Marketing Officer to modify, annul or rescind the budget estimates for reasons to be recorded or communicated in writing to the Committee.

(3) No expenditure shall be incurred by any Market Committee on any item if there is no approved budget provision, unless it can be met by reappropriation from savings under other heads or supplementary budget is prepared and approved by the State Marketing Officer or by any officer authorised by him.

113. Works to be included in budget.—No works for which plans and estimates have not been previously prepared and sanctioned shall be included in the budget.

114. Evidence of sanction.—(1) All plans and estimates of construction works shall be prepared and signed by a qualified Engineer approved for the purpose by the Market Committee.

(2) Plans and estimates for works estimated to cost less than Rs. 5,000 shall be approved by the Chairman.

(3) In case of works estimated to cost more than Rs. 5,000 the plans and estimates shall be approved by the Market Committee.

115. Supervision of works.—All works shall be carried out under the supervision of the Chairman or Secretary or of any member or members of the Market Committee duly authorised in this behalf by the Market Committee.

116. Accounts, audit, inspection.—Every Market Committee shall maintain the following account books and registers in the forms attached to these rules:—

1. Cash Book — Form No. 16.
2. General Ledger — Form No. 17.
3. Individual Ledger — Form No. 18.
4. Market Fee Register — Form No. 19.
5. Licence Fee Register — Form No. 20.
6. Register of Licence Holders for operating as Commission Agent, Trader or Broker — Form No. 21.
7. Form and Account Books Register — Form No. 22.
8. Stationery Register — Form No. 23.
9. Dead Stock Register — Form No. 24.
10. Pay Register — Form No. 25.
11. Government Loan Register — Form No. 26.
12. Property Register — Form No. 27.

(2) The accounts of a Market Committee shall be audited annually by auditors of the Co-operative Department on payment of such audit fees as may be fixed from time to time by the Co-operative Department.

(3) At the time of audit, the Chairman or any other member of the Market Committee authorised by him in his behalf shall cause to be produced and it shall be the duty of the Secretary to produce all accounts, registers, documents and other relevant papers which may be called for by the Audit Officer for the purposes of the audit. Any explanation called for by such officer for the settlement of any discrepancy shall also be immediately furnished to him.

(4) The audit memoranda of the Market Committee may be inspected by any person free of charge in the office of the concerned auditor of the Co-operative Department.

(5) The audit memorandum of the Market Committee may be given for reading to the members of the Market Committee, in the office of the Market Committee.

Certified copies of the same may be supplied to them on payment of fifteen paise per folio.

(6) If the audit discloses any defects in the working of a Market Committee, the Market Committee shall, within three months from the date of the audit report, explain to the State Marketing Officer or any officer authorised by him, the defects or irregularities pointed out by the Auditor and take steps to rectify the defects and remedy the irregularities and report to the State Marketing Officer or the officer authorised by him the action taken by it thereon. The State Marketing Officer or the officer authorised may also make an order directing the Market Committee to take such action, as may be specified in the order to remedy the defects within the time specified therein.

(7) If it appears to the State Marketing Officer on an application by any member of the Market Committee or otherwise, that it is necessary or expedient to reaudit the accounts of the Market Committee for any period, the State Marketing Officer may, by an order, provide for such reaudit and the provisions of the Act and the rules applicable to the audit of accounts of the Market Committee, shall apply to such reaudit.

CHAPTER VIII

Control

117. Manner of enquiry and inspection.—(1) An order, authorising inquiry or inspection under section 40 shall, among other things, contain the following:—

(a) the name of the person authorised to conduct the enquiry or inspection;

(b) the name of the Market Committee whose affairs are to be enquired into or whose accounts and records are to be inspected;

(c) the specific point or points on which enquiry or inspection is to be made, the period within which the enquiry or inspection is to be completed and report submitted to the State Marketing Officer;

(d) any other matter relating to the enquiry or inspection.

(2) If the enquiry or inspection cannot be completed within the period specified in the order referred to in sub-rule (1), the person conducting the enquiry or inspection shall submit an interim report stating the reason for not completing their enquiry or inspection in time and the State Marketing Officer, if he is satisfied, may grant such extension of time for the completion of the enquiry or inspection as he may deem necessary or he may withdraw the enquiry or inspection from the person to whom it is entrusted and hold the enquiry or inspection himself or entrust it to such other person as he deems fit.

(3) On receipt of the order referred to in sub-rule (1), the person authorised to conduct the enquiry or inspection shall proceed to examine the relevant books of accounts and other documents in possession of the Market Committee or any of its officers, members, agents or servants and obtain such information or explanation from any such officers, members, agents or servants of the Market Committee in regard to the transactions and working of the Market Committee as he deems necessary for the conduct of such enquiry or inspection.

(4) The person authorised to conduct the enquiry or inspection shall submit the report to the State Marketing Officer, on all the points mentioned in the order referred to in sub-rule (1). The report shall contain his findings and the reasons therefor supported by such documentary or other evidence as recorded by him during the course of his enquiry or inspection. The State Marketing Officer shall pass such orders thereon as may be considered just after giving a reasonable opportunity of being heard to the concerned persons including the members of the Market Committee.

118. Copies of documents and entries. — The Market Committee may on the application made in that behalf supply to the applicant a copy of any entry in the book, register or list regularly kept in the course of its working and in the possession of the Market Committee or of any document certified under the seal of the Market Committee and on payment of 15 paise per folio. The Chairman or Secretary may supply such copy under his signature.

119. Qualifications and appointment of Tribunal under section 57. — (1) The person constituting a Tribunal under section 57 shall be either, —

(a) a person who is holding or had held the office of a Mamlatdar, Deputy Collector, Assistant Registrar or Deputy Registrar of Co-operative Societies, or Chief Auditor of Co-operative Societies, for not less than three years, or

(b) a person who has for not less than five years been an advocate, or a pleader, or a person who had worked as a Chairman, Vice-Chairman or a member of a Market Committee or a Secretary thereof for a period of not less than five years, and who at the time of his appointment (as such) is not in any way connected with the Market Committee or with the person from whom the sum is alleged to be due.

120. Bye-laws. — Subject to the provisions of section 61 and these rules, a Market Committee may

make bye-laws in respect of all or any of the following matters, that is to say —

(a) meeting (including power of the State Marketing Officer to call meeting and attend them himself or to require any person authorised in this behalf, to attend them), quorum and procedure of the Market Committee;

(b) appointment of sub-committees, powers and duties to be delegated to sub-committee and meetings, quorum and procedure thereof;

(c) recruitment of staff and conditions of their services including salaries to be paid to them;

(d) rate of fee to be collected from a purchaser under section 31 and refund thereof;

(e) the form of an application for the grant and renewal of a licence, manner of refunding licence fee, agreement to be executed before the grant of a licence, solvency certificate, bank's or third person's guarantee and issue of a duplicate copy of a licence which is lost, destroyed or mutilated and the form to be submitted by the producer for obtaining the permission for the movement of the notified commodities from the market area;

(f) determining the quantity of declared agricultural produce for the purpose of retail sale (and personal consumption);

(g) the form for a weighment slip, accounts slip and bill to be issued under these rules;

(h) functions and duties of a Chairman, Vice-Chairman, members, officers and servants of a Market Committee and of market functionaries operating in the market area;

(i) prevention of unauthorised persons from operating in the market area in any market therein;

(j) issue of badges under these rules;

(k) rates of charges provided under the Act;

(l) hours of trading and holidays;

(m) payment of expenses of the Tribunal under section 57;

(n) rate of sitting fees to members and payment of travelling and other allowances to members of the Market Committee;

(o) maintenance of records, registers and account books by licensees and submission of returns by them to the Market Committee;

(p) charges for grading of declared agricultural produce;

(q) price of forms to be supplied to licensees under these rules;

(r) inspection of copies of the Act and rules, bye-laws and notifications issued thereunder;

(s) preservation and destruction of records;

(t) manner and period of preservation of bills;

(u) charges for weighment on a weighbridge;

(v) manner of conducting sales of declared agricultural commodities;

(w) manner and extent of security to be taken from officers and servants of a Market Committee;

(x) manner of giving notices for giving effect to the provisions of the Act, the rules and the bye-laws;

(y) conditions of trading and marketing in the market area including any matter for which bye-laws are required to be made under these rules or for giving effect to the provisions of the Act and these rules.

121. Amendment of bye-laws.— (1) subject to the provisions of this rule, the bye-laws of a Market Committee may be amended, altered or abrogated by passing a resolution at a meeting of the Market Committee held for that purpose.

(2) The Market Committee shall give due notice under intimation to the State Marketing Officer in accordance with its bye-laws to all the members for considering any amendment, alteration or abrogation of bye-law.

(3) An amendment, alteration or abrogation of a bye-law shall be deemed to have been duly made, if a resolution in that behalf is passed at a meeting by majority of the members present thereat and voting and sanctioned by the State Marketing Officer as provided by this rule.

(4) After the resolution is passed, a copy thereof shall, within a period of two months from the date of the meeting at which the resolution was passed, be furnished to the State Marketing Officer along with—

(a) a copy of the relevant bye-law in force with amendment, proposed to be made in pursuance of the resolution together with reasons justifying such amendment, alteration or abrogation;

(b) four copies of the text of the bye-law as it would stand after amendment, signed by the Chairman or in his absence by the Vice-Chairman and Secretary of the Market Committee; and

(c) such other information as may be required by the State Marketing Officer.

(5) On receipt of a copy of the resolution and other particulars referred to in sub-rule (4), the State Marketing Officer shall examine the amendment, alteration or abrogation proposed by the Market Committee and if he is satisfied that the amendment, alteration or abrogation is not contrary to the Act or the rules and is in the interest of the Market Committee and regulation of marketing of the declared agricultural produce, he may communicate his sanction to the amendment, alteration or abrogation as required by sub-section (1) of section 61.

(6) Where the State Marketing Officer is of the opinion that the proposed amendment, alteration or abrogation may be sanctioned subject to any modification, he may indicate to the Market Committee such modification after explaining in writing his reasons therefor. The bye-law as modified shall be deemed to have come into force as soon as the modification is adopted by the Market Committee in the next meeting.

FORM No. 1

[See rule 6(2)]

Licence for operating as a trader, commission agent or broker

The * Agricultural Produce Market Committee

Licence is hereby granted to ... address ... (hereinafter referred to as the licensee) on payment of fee of Rs. ...

* Here insert the name as provided by section 12.

for the use of ** ... in the market area or for operating in the market area for which the said Market Committee is established for the marketing of † ... as a trader/commission agent/broker, subject to the provisions of the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963 as extended to the Union Territory of Goa, Daman and Diu the Goa, Daman and Diu Agricultural Produce Marketing (Regulation) Rules, 1968 and the Bye-laws of the said Market Committee and the following conditions, that is to say:—

1. The licensee shall abide by the provisions of the said Act and Rules †† [and the Bye-laws of the said Market Committee and the conditions of agreement entered into by the licensee on ... with the said Market Committee].

2. This licence shall be valid upto and inclusive of 30th day of September 19 , and shall then expire unless it is renewed.

3. This licence is not transferable.

4. This licence may be suspended or cancelled in accordance with the provisions of the said Act and the Rules made thereunder.

5. In the event of suspension or cancellation of this licence, the licensee shall surrender it to the State Marketing Officer/Market Committee.

6. The licensee shall carry on business as ... only and at such places for which the licence is issued and unless the licensee carries on any other business under a licence granted under the said rules, shall not carry on any other business of a market functionary in the market area or in any market therein.

7. The licensee shall not adulterate or cause any declared agricultural produce to be adulterated.

8. The licensee shall help the State Marketing Officer/Market Committee in preventing evasion of market fees.

9. (1) The licensee shall not engage the services of any assistant except of the following persons in connection with the marketing of the declared agricultural produce, namely:—

(Here enter names of assistants engaged by licensee)

(2) All acts of assistants so engaged shall, in relation to the marketing of the declared agricultural produce, be deemed to be acts done on behalf of the licensee with his express or implied permission.

10. The licensee shall maintain books, registers and records in the manner required by the State Marketing Officer/Market Committee; and shall make them available for inspection to the State Marketing Officer/Chairman, Vice-Chairman Secretary or any other person authorised by the Market Committee in that behalf.

11. The licensee shall furnish information and returns to the State Marketing Officer/Market Committee as may be required by him/it from time to time.

12. The licensee shall settle the price of agricultural produce according to the manner provided for under the Bye-laws of the Market Committee * [and shall issue account slips or purchase bills according to the provisions of the Goa, Daman and Diu Agricultural Produce Marketing (Regulation) Rules, 1968].

13. The licensee shall, if the declared agricultural produce is sold through his agency or by him, pay to the seller the price of the agricultural produce so sold on the same day.

14. The licensee shall not solicit or receive any fees or recover any charges other than those which he is entitled to receive or recover in accordance with the provisions of the Act, and the rules and Bye-laws made thereunder.

15. The licensee shall not make or recover any trade allowance.

**16. The licensee shall not operate as broker in any transaction in respect of any declared agricultural produce other than poultry, cattle, sheep and goats and pigs or except between a trader or trader.

17. The licensee shall provide for authorised weights and measures and shall carry out the weighment at such places

** Here specify name of place (whether principal market or subsidiary market, etc.).

† Here specify name of declared agricultural produce in relation to its marketing in the market area or market.

†† To be deleted when the licence is granted by the State Marketing Officer.

* Not applicable in case of a broker.

** To be applicable in respect of broker only.

as may be approved by the State Marketing Officer/Market Committee.

18. The licensee shall pay to the licensed weighman or measurer and hamals only at the rates approved by the State Marketing Officer/Market Committee and shall not employ them for any household or private work.

† 19. The licensee shall not purchase either in his own name or jointly for himself and others any declared agricultural produce brought in his adāt except after fulfilling conditions laid down in rule 8.

20. The licensee shall inform the State Marketing Officer/Market Committee of any change in the partnership of the firm/company, if any.

21. The licensee shall refer all his disputes in relation to the marketing of the declared agricultural produce in the manner provided by the Goa, Daman and Diu Agricultural Produce Marketing (Regulation) Rules, 1968.

Place ...

Date ...

State Marketing Officer Goa, Daman and Diu
Chairman, ...
Agricultural Produce Market Committee.

Renewal of Licence

Date of renewal	Period for which renewed	Signature of State Marketing Officer/Chairman and date
-----------------	--------------------------	--

Note. — Reference to State Marketing Officer should be retained only when the licence is granted by him under the Act. It should be omitted when a licence is granted by a Marketing Committee.

† To be retained in the case of licences to commission agents only.

FORM No. 2

[See rule 7(3)]

Licence for operating as a Weighman/Measurer/Counter

The * ... Agricultural Produce Market Committee.

Licence is hereby granted to ... address ... (hereinafter referred to as the licensee) for the use of** ... in the market area or for operating in the market area for which the said Market Committee is established (for the marketing of † ... as a weighman/measurer/counter subject to the provisions of the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963, as extended to the Union Territory of Goa, Daman and Diu, the Goa, Daman and Diu Agricultural Produce Marketing (Regulation) Rules, 1968 and the bye-laws of the Market Committee and the following conditions, that is to say:—

1. The licensee shall abide by the provisions of the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963, as extended to the Union Territory of Goa, Daman and Diu, the Goa, Daman and Diu Agricultural Produce Marketing (Regulation) Rules, 1968 and the bye-laws of the said Committee and the conditions of agreement entered into by the licensee on ... with the Market Committee.

2. The licence shall be valid upto and inclusive of 30th September 19 ... ; and shall then expire unless it is renewed.

3. The licence is not transferable.

4. The licence shall be liable to be suspended or cancelled in accordance with the provisions of the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963, as extended to the Union Territory of Goa, Daman and Diu and the Rules made thereunder.

* Here insert name as provided by section 12.

** Here specify name of place, whether principal market or subsidiary market, etc.

† Here specify the name of the declared agricultural produce in relation to its marketing in the market area or the market.

5. In the event of suspension or cancellation of this licence, the licensee shall surrender it to the State Marketing Officer/Market Committee.

6. The licensee shall carry on the business as weighman/measurer/counter only and at such places for which the licence is issued and shall not carry on any other business of a market functionary in the market area or in any market therein.

7. The licensee shall not adulterate or cause any declared agricultural produce to be adulterated.

8. The licensee shall help the Market Committee in preventing evasion of market fees.

9. (1) The licensee shall not engage the services of any assistant except of the following persons in connection with the marketing of the declared agricultural produce, namely:—

(Here enter names of assistants engaged by licensee)

(2) All acts of assistants so engaged shall, in relation to the marketing of the declared agricultural produce, be deemed to be acts done on behalf of the licensee with his express or implied permission.

10. The licensee shall not accept any employment with any commission agent, trader or broker operating in the market area or in any market therein.

11. The licensee shall abide by the decisions of the Market Committee and the instructions of the Chairman, Secretary or any officer authorised by the Market Committee.

12. The licensee shall not remain absent from the market area or any market therein where he ordinarily operates as a weighman or measurer or counter without the previous approval of the officer authorised by the Market Committee in that behalf.

13. The licensee shall wear the badge issued by the Market Committee while operating as weighman/measurer/counter in the market area or any market therein.

14. The licensee shall issue weightment/measurement/counting slips immediately after any declared agricultural produce is weighed/measured/counted according to the provisions of the Goa, Daman and Diu Agricultural Produce Marketing (Regulation) Rules, 1968.

Place:

Date:

State Marketing Officer Goa, Daman and Diu.
Chairman,
... Agricultural Produce
Market Committee.

Renewal of Licence

Date of renewal	Period for which renewed	Signature of the State Marketing Officer/Chairman and date
-----------------	--------------------------	--

Note. — Reference to State Marketing Officer should be retained when the licence is granted by him under the Act. It should be omitted when a licence is granted by the Market Committee.

FORM No. 3

[See rule 7(3)]

Licence for operating as a Warehouseman

... Agricultural Produce Market Committee

Licence is hereby granted to ... address ... (hereinafter referred to as the licensee) on payment of Rs. ... for use of * ... in the market area or for operating in the market area for which the said Market Committee is established (for the marketing of † ... as a warehouseman subject to

* Here specify name of place, whether principal market or subsidiary market.

† Here specify the name of the declared agricultural produce in relation to its marketing in the market area or the market.

the provisions of the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963 as extended to the Union Territory of Goa, Daman and Diu, the Goa, Daman and Diu, Agricultural Produce Marketing (Regulation) Rules, 1968 and the bye-laws of the Market Committee and the following conditions, that is to say—

1. The licensee shall abide by the provisions of the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963 as extended to the Union Territory of Goa, Daman and Diu, the Goa, Daman and Diu Agricultural Produce Marketing (Regulation) Rules, 1968, the bye-laws of the Agricultural Produce Market Committee ... and the conditions of agreement entered into by the licensee on ... with the Market Committee.
2. The licence shall be valid upto and inclusive of 30th September 19 ...; and shall then expire unless it is renewed.
3. The licence is not transferable.
4. The licence shall be liable to be suspended or cancelled in accordance with the provisions of the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963, as extended to the Union Territory of Goa, Daman and Diu, and the rules made thereunder.
5. In the event of suspension or cancellation of this licence, the licensee shall surrender it to the State Marketing Officer/Market Committee.
6. The licensee shall carry on business as warehouseman only and at such places for which the licence is issued and shall not carry on any other business of a market functionary in the market area or in any market therein.
7. The licensee shall register all his places of storage with the Market Committee.
8. The licensee shall not adulterate or cause any declared agricultural produce to be adulterated.
9. The licensee shall help the Market Committee in preventing evasion of Market fees.
10. The licensee shall maintain books, registers and records in the manner required by the Market Committee and shall make them available for inspection to the Chairman, Vice-Chairman, Secretary or any other Officer authorised by the Market Committee.

Place:

Date:

State Marketing Officer Goa, Daman and Diu.
Chairman,
... Agricultural Produce
Market Committee.

Renewal of Licence

Date of renewal	Period for which renewed	Signature of the State Marketing Officer/Chairman and date
-----------------	--------------------------	--

Note.—Reference to State Marketing Officer should be retained only when the licence is granted by him under the Act. It should be omitted when licence is granted by a Market Committee.

FORM No. 4

[See rule 7(3)]

Licence for operating as a Surveyor/Processor/carting and clearing agent/and others operating in a market area or in any market therein

The* ... Agricultural Produce Market Committee.

Licence is hereby granted to ... address ... (hereinafter referred to as the licensee on payment of fee of Rs. ... for the use of † ... in the market area or for operating in the market area for which the said Market Committee is established as †† ... subject to the provisions of the Maharashtra

* Here insert the name of Committee as provided by section 12.

† Here specify name of place whether principal market or subsidiary market, etc.

†† Here insert Surveyor, Processor etc.

Agricultural Produce Marketing (Regulation) Act, 1963 as extended to the Union Territory of Goa, Daman and Diu, the Goa, Daman and Diu Agricultural Produce Marketing (Regulation) Rules, 1968 and the bye-laws of the Market Committee and the following conditions, that is to say—

1. The licensee shall abide by the provisions of the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963, as extended to the Union Territory of Goa, Daman and Diu, the Goa, Daman and Diu Agricultural Produce Marketing (Regulation) Rules, 1968 and the bye-laws of the said Committee and the conditions of agreement entered into by the licensee on ... with the Market Committee.
2. The licence shall be valid upto and inclusive of 30th September 19; and shall then expire, unless it is renewed.
3. The licence is not transferable.
4. The licence shall be liable to be suspended or cancelled in accordance with the provisions of the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963 as extended to the Union Territory of Goa, Daman and Diu and the rules made thereunder.
5. In the event of suspension or cancellation of this licence, the licensee shall surrender it to the State Marketing Officer/Market Committee.
6. The licensee shall carry on business as †† ... only and at such places for which the licence is issued and shall not carry on any other business of a market functionary in the market area or any market therein.
7. The licensee shall not adulterate or cause any declared agricultural produce to be adulterated.
8. The licensee shall help the Market Committee in preventing evasion of market fees.

Place:

Date:

State Marketing Officer,
Goa, Daman and Diu

Chairman,

... Agricultural
Produce Market Committee

Renewal of Licence

Date of renewal	Period for which renewed	Signature of the State Marketing Officer/Chairman and date
-----------------	--------------------------	--

Note.—Reference to State Marketing Officer should be retained only when the licence is granted by him under the Act. It should be omitted when the licence is granted by a Market Committee.

FORM No. 5

[See rule 7(3)]

Licence for operating as Assistant to Commission Agent/Trader/Broker/Carting and Clearing Agent/Processor to operate in market area or in any market therein

The* ... Agricultural Produce Market Committee.

Licence is hereby granted to ... address ... (hereinafter referred to as the licensee on payment of fee of Rs. ... for the use of † ... in the market area or for operating in the market area for which the said Market Committee is established as an assistant to †† subject to the provisions of the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963 as extended to the Union Territory of Goa, Daman and Diu, the Goa, Daman and Diu Agricultural Produce Marketing (Regulation) Rules, 1968 and the bye-laws of the Market Committee and the following conditions, that is to say—

1. The licensee shall abide by the provisions of the Maharashtra Agricultural Produce Marketing (Regulation) Act,

* Here state name of Committee as provided by section 12.

† Here specify name of place whether principal market or subsidiary market, etc.

†† Here insert Commission Agent, Trader, etc.

1963 as extended to the Union Territory of Goa, Daman and Diu, the Goa, Daman and Diu Agricultural Produce Marketing (Regulation) Rules, 1963, the bye-laws of the said Committee and the conditions of agreement entered into by the licensee on ... with the Market Committee.

2. The licence shall be valid upto and inclusive of 30th September 19; and shall then expire, unless it is renewed.

3. The licence is not transferable.

4. The licence shall be liable to be suspended or cancelled in accordance with the provisions of the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963 as extended to the Union Territory of Goa, Daman and Diu and the rules made thereunder.

5. In the event of suspension or cancellation of this licence, the licensee shall surrender it to the State Marketing Officer/Market Committee.

6. The licensee shall carry on business as assistant to* ... and at such places only for which the licence is issued and shall not carry on any other business of a market functionary in the market area or in any market therein.

7. The licensee shall not adulterate or cause any declared agricultural produce to be adulterated.

8. The licensee shall help the Market Committee in preventing evasion of market fees.

Place:

Date:

State Marketing Officer,
Goa, Daman and Diu,

Chairman,

... Agricultural
Produce Market Committee.

Renewal of Licence

Date of renewal	Period for which renewed	Signature of the State Marketing Officer/Chairman and date

Note. — Reference to State Marketing Officer should be retained only when the licence is granted by him under the Act. It should be omitted when licence is granted by a Market Committee.

* Here insert commission agent, trader, etc.

FORM No. 6

[See rule 7(3)]

Licence for operating as a Hamal

The* ... Agricultural Produce Market Committee.

Licence is hereby granted to ... address ... (hereinafter referred to as the licensee) on payment of fee of Rs ... for the use of ... in the market area or for operating in the market area for which the said Market Committee is established as a hamal subject to the provisions of the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963, as extended to the Union Territory of Goa, Daman and Diu, the Goa, Daman and Diu Agricultural Produce Marketing (Regulation) Rules, 1963 and the bye-laws of the Market Committee and the following conditions, that is to say —

1. The licensee shall abide by the provisions of the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963 as extended to the Union Territory of Goa, Daman and Diu, the Goa, Daman and Diu, Agricultural Produce Marketing (Regulation) Rules, 1963, the bye-laws of the said Committee and the conditions of agreement entered into by the licensee on ... with the Market Committee.

2. The licence shall be valid upto and inclusive of 30th September 19...; and shall then expire, unless it is renewed.

3. The licence is not transferable.

4. The licence shall be liable to be suspended or cancelled in accordance with the provisions of the Maharashtra Agri-

* Here insert the name of Committee as provided by section 12.

† Here specify name of place whether principal market or subsidiary market, etc.

cultural Produce Marketing (Regulation) Act, 1963, as extended to the Union Territory of Goa, Daman and Diu, and the rules made thereunder.

5. In the event of suspension or cancellation of this licence, the licensee shall surrender it to the State Marketing Officer/Market Committee.

6. The licensee shall carry on business as hamal only and at such places for which the licence is issued and shall not carry on any other business of a market functionary in the market area or in any market therein.

7. The licensee shall not adulterate or cause any declared agricultural produce to be adulterated.

8. The licensee shall help the Market Committee in preventing evasion of market fees.

9. The licensee shall not accept any employment with any commission agent, trader or broker operating in the market area or in any market therein.

10. The licensee shall abide by the decisions of the Market Committee and the instructions of the Chairman, Secretary or any officer authorised by the Market Committee in that behalf.

11. The licensee shall not remain absent from the market area or any market therein where he ordinarily operates as a hamal without the previous approval of the officer authorised by the Market Committee.

12. The licensee shall wear the badge issued by the Market Committee while operating as hamal.

Place:

Date:

State Marketing Officer, Goa, Daman and Diu

Chairman,

... Agricultural
Produce Market Committee

Renewal of Licence

Date of renewal	Period for which renewed	Signature of the State Marketing Officer/Chairman and date

Note. — Reference to State Marketing Officer should be retained only when the licence is granted by him under the Act. It should be omitted when the licence is granted by a Market Committee.

FORM No 7

[See rule 7(3)]

Licence for operating as* ... The †Agricultural Produce Market Committee. Licence is hereby granted to ... address ... (hereinafter referred to as the licensee) on payment of Rs. ... for the use of ‡ ... in the market area or for operating in the market area for which the said Market Committee is established as* ... subject to the provisions of the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963, as extended to the Union Territory of Goa, Daman and Diu, the Goa, Daman and Diu Agricultural Produce Marketing (Regulation) Rules 1963 and the bye-laws of the Market Committee and the following conditions that is to say: —

1. The licensee shall abide by the provisions of the Maharashtra Agricultural Produce Marketing ((Regulation) Act, 1963, as extended to the Union Territory of Goa, Daman and Diu, the Goa, Daman and Diu Agricultural Produce Marketing (Regulation) Rules, 1963 and bye-laws of the said Committee and the conditions of agreement entered into by the licensee on ... with the Market Committee.

2. The licence shall be valid upto and inclusive of 30th September 19... and shall then expire unless it is renewed.

3. The licence is not transferable.

* Here insert the category of the functionary for which licence is granted.

† Here insert the name of the Market Committee.

‡ Here specify the name of the place, whether principal market or subsidiary market.

4. The licence shall be liable to be suspended or cancelled in accordance of provision of the Maharashtra Agricultural Produce Marketing Regulation) Act, 1963 as extended to the Union Territory of Goa, Daman and Diu and the rules made thereunder.

5. In the event of suspension or cancellation of the licence, the licensee shall surrender it to the State Marketing Officer/Market Committee.

6. The licensee shall carry on business as * ... only and at such places for which the licence is issued and shall not carry on any other business of a market functionary in the market area or in any market therein.

7. The licensee shall not adulterate or cause any declared agricultural produce to be adulterated.

8. The licensee shall help the Market Committee in preventing evasion of market fee.

9. The licensee shall abide by the decision of the Market Committee and the instructions of the Chairman, Secretary or any officer authorised by the Market Committee in that behalf.

Place:

Date:

State Marketing Officer Goa, Daman and Diu
Chairman, ...
Agricultural Produce Market Committee.

* Here insert the category of the functionary for which licence is granted.

FORM No. 8

(See rule 32)

Form of Declaration

Kind of agricultural produce	Carts and packages with quantity	Where bought	Name of seller	Through whom bought	Name of the buyer or his agent
1	2	3	4	5	6

I hereby declare that the above mentioned agricultural produce has been brought in the market area for the purpose of* processing/export.

Date:

Signature.

* Retain whichever is applicable and strike out whichever is not applicable.

FORM No. 9

(See rule 44)

Form of Nomination Paper

Election to the ... Agricultural Produce Market Committee.

(To be filled by the proposer)

I hereby nominate ... as a candidate for election from the ... constituency.

Name of Constituency ...

Name of Candidate ...

Father's/Husband's name ...

Age ...

Full postal address of the Candidate ...

The name of the constituency in which the name of the candidate is entered as a voter in the list of voters.

Serial number of the candidate in the list of voters of the constituency aforementioned in which his name is entered as a voter ...

Name of the proposer ...

Serial number of the proposer in the list of voters of the constituency.

Signature of the Proposer.

Declaration by Candidate

I hereby signify my willingness to serve as a member of the ... Agricultural Produce Market Committee if I am elected.

Date:

Signature of Candidate.

Declaration as to Choice of Symbol

I do hereby declare that the symbols which I have chosen for my elections are shown below in the order of my preference:—

(1)

(2)

(3)

Signature of Candidate.

Serial No. of nomination paper ...

This nomination was delivered to me at my office at ... (hour) on... (date) by the *candidate.

*proposer of the candidate.

Date:

Signature of Returning Officer

Decision of Returning Officer accepting or rejecting the nomination paper

I have examined this nomination paper in accordance with rule 45 of the Goa, Daman and Diu Agricultural Produce Marketing (Regulation) Rules, 1968, and decide as follows:—

Date:

Signature of Returning Officer

*Strike off if unnecessary.

Receipt for Nomination Paper and notice of scrutiny

(To be handed over to the persons presenting the nomination paper)

Serial No. of Nomination Paper ...

The nomination paper of ... a candidate for election from the ... constituency of... the ... Agricultural Produce Market Committee was delivered to me at my office at ... (hour) on ... (date) by the *candidate

*proposer of the candidate.

All nomination papers will be taken up for scrutiny at ... (hour) on ... (date) at ... (place).

Date: ...

Signature of Returning Officer

*Strike off if unnecessary.

FORM No. 10

[See rule 53(1)]

List of Contesting Candidates

Election to the ... Agricultural Produce Market Committee from ... constituency.

Serial No.	Name of Candidate	Address of Candidate	Symbol allotted to the Candidate
1 ...			
2 ...			
3 ...			
4 ...			
	, etc.		

Place: ...

Date: ...

Signature of Returning Officer.

FORM No. 11

[See rule 60 (1)]

Form of Ballot Paper

The ... Agricultural Produce Market Committee Election
for ... Constituency

Name of Candidate	Symbols assigned	Voter's mark
1	2	3

Note.—Serial number of each ballot paper shall appear at the top on the front side.

FORM No. 12

[See rule 66 (2)]

Tendered Votes List

Election to the ... Agricultural Produce Market Committee
... Constituency.

Polling Station ... No. of Polling Station, if any ...

Serial No. of the entry	Name of the voter	Serial Number of the voter in the list of voters	Address of the voter	Serial Number of tendered ballot paper	Serial Number of ballot paper issued to the person who has already voted	Signature or thumb impression of the voter
1	2	3	4	5	6	7

Date ...

Signature of the Presiding Officer.

Signature of the Presiding Officer.

Note.—If a polling station has more than one polling booth separate account in this form shall be attached to this account in respect of each such polling booth.

Date ...

Signature of the Presiding Officer.

FORM No. 14

[See rules 76(2) and 79]

Result Sheet

Election to the ... Agricultural Produce Market Committee ... from the ... constituency.

Polling Station		Number of valid votes caste in favour of				Number of		Total votes for Polling Station	Number of tendered votes	Remarks
Serial No.	Name	A	B	C	D etc	Valid votes	Rejected votes			

Total number of votes recorded at Polling Station.

Place:

Date:

Returning Officer.

FORM No. 15

(See rule 81)

Form of Return of Election

Agricultural Produce Market Committee.

Election for ... Constituency.

... 196

Name of candidate	Number of valid votes given for the candidate
1.	
2.	
3.	
4.	
etc.	
Total No. of valid votes	...
Total No. of invalid votes	..
Total No. of tendered votes	..

I declare that—

Name ...

Address ...

has been duly elected.

Dated the ... day of ... 19

Signature of Returning Officer.

FORM No. 16

[See rule 116(1)]

Cash Book

Year

Name of the Agricultural Produce Market Committee ...

Receipts						Payment					
Date	Credit Voucher No.	Individual ledger No. and folio	General ledger No. and folio	Particulars	Amount	Date	Debit Voucher No.	Individual ledger No. and folio	General ledger No. and folio	Particulars	Amount
					Rs. P.						Rs. P.

FORM No. 17

[See rule 116(1)]

General Ledger

Year

Name of the Agricultural Produce Market Committee ...

Account ...

Amount sanctioned in the budget ... Original Supplementary By reappropriation
(only for items of expenditure)

Date	Cash book folio No.	Particulars	Receipts	Disbursement	Balance		Remarks
					Credit	Debit	
1	2	3	4	5	6	7	8
			Rs. P.	Rs. P.	Rs. P.	Rs. P.	

[See rule 116(1)]

Individual Ledger

Year

Name of the Agricultural Produce Market Committee ...

Account ...

Date	Cash book folio No.	Particulars	Receipts	Payment	Credit balance	Debit balance	Remarks
1	2	3	4	5	6	7	8
			Rs. P.	Rs. P.	Rs. P.	Rs. P.	

[See rule 116(1)]

Market Fee Register.

Name of the Agricultural Produce Market Committee ...

Name of the Licence Holder/General Commission Agent.

Trader

Processor.

Processor.											
Date	From or through whom purchased		Commo- dity	Quantity or Number purchased	Rate at which purchased	Value of produce	Rate of market fee per cent/ per head	Total market fee	Date of recovery of market fee		Remarks
	Name	Bill No. or Account Slip No.							Voucher No.	Date	
1	2	3	4	5	6	7	8	9	10	11	12
					Rs. P.	Rs. P.	Rs. P.	Rs. P.			

[See rule 116(1)]

Licence Fee Register

Name of the Agricultural Produce Market Committee ...

Year ...

Page No. ...

[illegible]

FORM No. 21

[See rule 116(1)]

Register of licence-holders for operating as Commission Agent or Trader or Broker.

Name of the Agricultural Produce Market Committee ...

Year ...

Page No. ...

Serial No.	Name of the			Category of licence		Year			Year			Year			Remarks
	Licence holder	Firm	Address	Com- mission Agent	Trader	Resolution No.	Date of Resolution	Licence No. and Date	Resolution No.	Date of Resolution	Licence No. and Date	Resolution No.	Date of Resolution	Licence No. and Date	
1	2	3	4	5	6	7(a)	7(b)	7(c)	8(a)	8(b)	8(c)	9(a)	9(b)	9(c)	10

FORM No. 22

[See rule 116(1)]

Forms and Account Books Register

Name of the Agricultural Produce Market Committee ...

Particulars of the form or register ...

Year ...

Date	Opening balance (No. of forms or books)	Receipts (No. of forms or books)	Total (No. of forms or books)	To whom issued	No. of the forms or books issued	Value (if priced)	Signature of the receiver	Balance No. of forms or books	Signature of the Secretary	Remarks
1	2	3	4	5	6	7	8	9	10	11

Rs. P.

FORM No. 23

[See rule 116(1)]

Stationery Register

Name of the Agricultural Produce Market Committee ...

Item of Stationery ...

Year ...

Unit ...

Date	Opening stock	Receipts	Total	No. issued	To whom issued	Signature of the receiver	Closing stock	Signature of the Clerk in-charge	Remarks
1	2	3	4	5	6	7	8	9	10

FORM No. 27
[See rule 116(1)]
Property Register

Name of the Agricultural Produce Market Committee ...

Serial No.	Nature of the property (land, buildings, etc.)	Description of the property (Sr. No., House No., Area, etc.)	Valuation of property	From whom purchased	If constructed, actual cost of construction	Date of purchase or completion of construction	Valuation after depreciation		Remarks
							Year	Value	
			Rs.		Rs.			Rs.	
					(2)				
					(3)				
					(3)				

FORM No. 28
(See rule 93-A)

Form of notice of no-confidence

To
The Secretary,

... Agricultural Produce Market Committee ...

Dear Sir,

I/We ... member/members of the Agricultural Produce Market Committee ... intend to move a motion of no-confidence against the Chairman/Vice-Chairman ... for the following reason/reasons:—

...
...
...

I/We declare that the fact/s stated above are true to the best of my/our information and knowledge.
We support the notice.

1. ...
2. ...

(Signature/s)